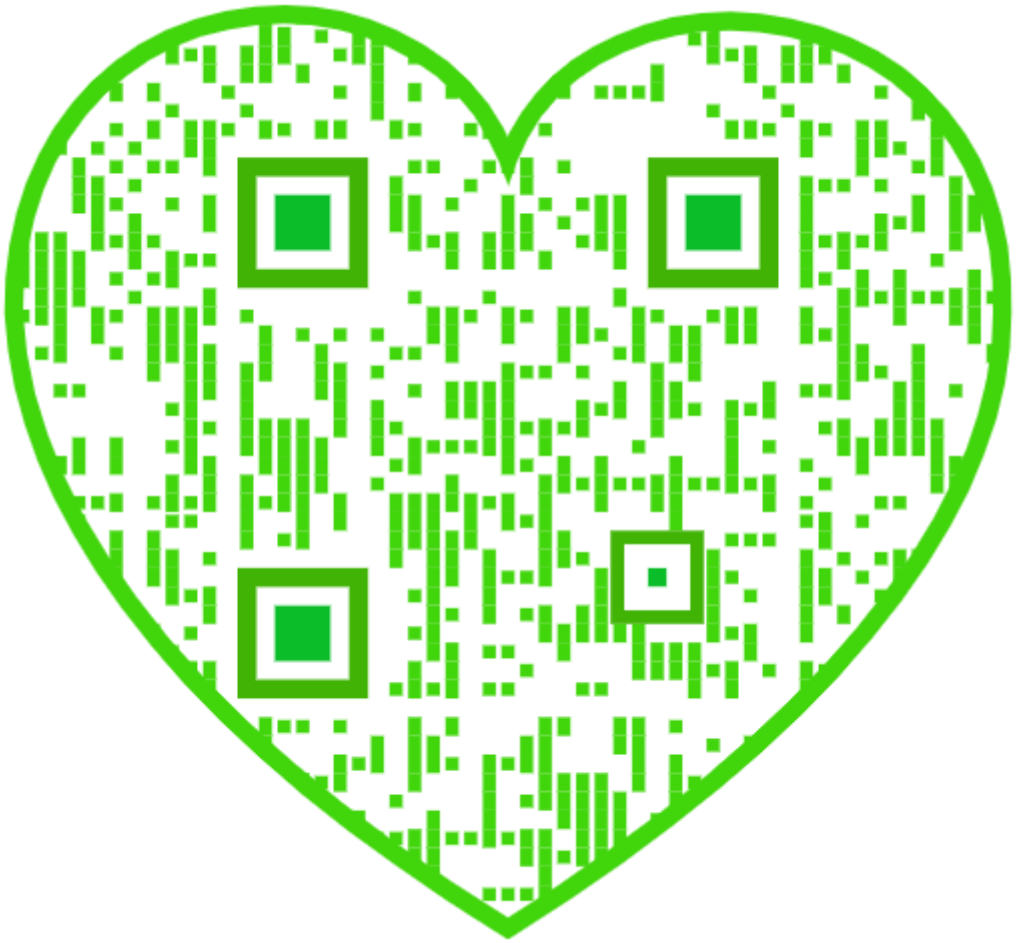

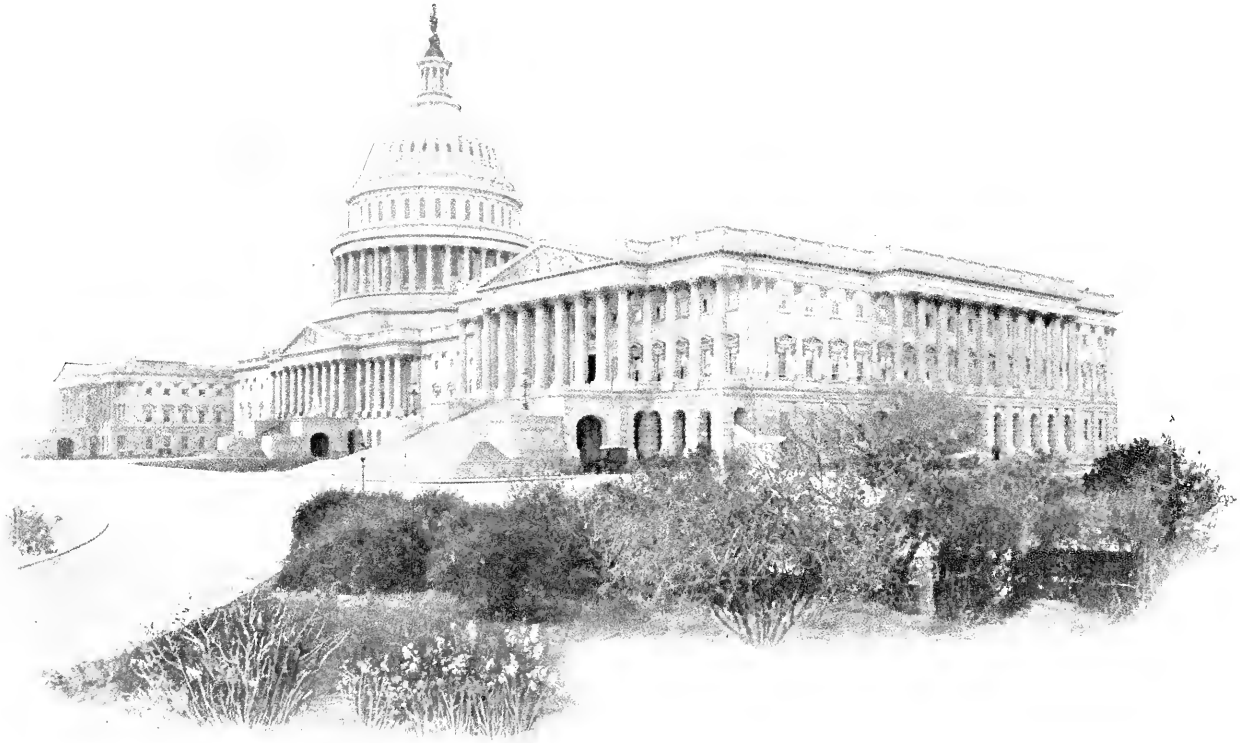

THE CAPITOL BUILDING AND GROUNDS, WASHINGTON.

CYCLOPEDIA OF

CIVIL GOVERNMENT

Embracing more than
Eleven Hundred Titles Relating to the Citizen and the
Government under which he lives.

BY

ELLSWORTH FOSTER, LL.B.

"That which contributes most to preserve the State is to educate people with reference to the State."—*Aristotle.*

CHICAGO, ILLINOIS:
THE COLLEGE PUBLISHING COMPANY

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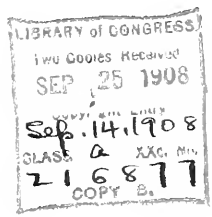

PREFACE

There is scarcely an obligation of citizenship in a republic more imperative than a clear comprehension of the principles of government. The Federal Union is a gigantic corporation, in which control is exercised by representatives selected more or less carefully by its millions of members. This control, or government, can definitely extend no further than permitted by the multitude who delegate authority. In their hands is a sure and swift remedy for mismanagement and evil wrought by conscienceless directors, for the people who grant authority are privileged to cancel a commission when their judgment prompts them to do so.

The ballot in the hands of an uninformed, heedless or prejudiced man or woman is a menace to orderly regulation of the nation's affairs. We need to study the complexities of our Government; we should know the quality of service expected of those who seek our commission to rule, and then should measure men by the standards our judgments impose; we should understand our personal relation to the great, powerful organization whose acts affect our welfare.

This volume is designed to meet a demand for a reliable and authentic outline of every important department of the Government. Its topics are alphabetically arranged and provided with numerous cross-references which bring into view various allied subjects. The space given to each topic is necessarily brief; it would have been a pleasure to deal more exhaustively with the subjects included, but such treatment would have greatly exceeded the limits possible in a work of ready reference and would have imposed a selling price much greater than the author wished to have placed upon this

book. The essential facts are here; they are as reliable as the best authorities could furnish, and the statistics are carefully brought down to date. The features which it is hoped will appeal to readers are utility, range, conciseness, and authenticity.

If the seeker for information pertaining to his Government can pick up this book with expectation and lay it down with satisfaction, the writer will feel repaid for the very many months of labor devoted to its preparation.

E. F.

SEPTEMBER, 1908.

CIVIL GOVERNMENT

A

Abdication, a term which is in one sense a synonym for resignation. A person resigns from an office which he holds temporarily by the will of electors or an appointing power; one abdicates an office which he holds through hereditary descent. Abdication is a voluntary surrender, although as a preliminary, force may have been used to bring the official to an attitude favorable to the relinquishment of his claim. A person who is forced by superior numbers from his hereditary place has a legal right to recover it, if possible; if he abdicates, he surrenders this right.

Abolitionist, from the Latin *abolitio,* meaning an annulling; and from *abolere,* to check the growth. The terms abolition and abolitionist were first used in 1835 with the meaning and full political significance which clung to them until the close of the Civil War. However, abolition societies were organized in Pennsylvania in 1774, in New York in 1785, in Rhode Island in 1786, in Maryland in 1789, and before 1792 in several other States of the newly organized Union. The principles of the abolitionists developed with the growth of the slavery question, and by 1835 the name was generally understood to define that large body of citizens who were more intense than any other in their opposition to human slavery. Their creed was the immediate emancipation of the black race, no matter by what means it should be accomplished. They weakened what otherwise would have been a very strong position by declaring for the unconditional release of the negroes from bondage, and refusing to recognize the binding force of statutes legalizing traffic in human beings, ignoring even the plain provisions of the Constitution. This radical position alienated thousands of strong, conservative men who, while objecting to slavery, were persuaded that the end sought might be attained by

well-ordered and legal means. The feeling against the abolitionists in many places even in the North ran high at times, and riots provoked by them were frequent. In Illinois, in 1837, editor Elijah Lovejoy, a leading abolitionist, was mobbed and killed, and the next year a public building in Philadelphia was burned by opponents of the propaganda. From one point of view the abolitionists were in the end successful; their uncompromising attitude made slavery a political issue earlier than otherwise would have been the case and their intense devotion to the cause hastened, beyond doubt, the day of emancipation. The man who was best known among the abolitionists was William Lloyd Garrison, who, after being fined in a Baltimore court for publishing anti-slavery pamphlets, moved to Boston and established *The Liberator*, which became at once the national organ of the radical element. In this paper Garrison proclaimed the Constitution to be "a covenant with death and an agreement with hell," and declared for "no union with slaveholders." On such principles the anti-slavery societies fostered by the abolitionists were founded. Until the war was well under way these people were in favor of compelling the slave States to withdraw from the Union, if it could be accomplished peaceably, but when it was apparent that a bitter struggle was inevitable they became ardent supporters of the Federal policy. Among the prominent abolitionists, after their intrepid leader, were John Greenleaf Whittier, the Quaker poet; Wendell Phillips, the most eloquent orator before the war period; Gerrit Smith, philanthropist; and Lucretia Mott, a remarkably forciful speaker.

Abrogation is the nullification of a law or rule through the adoption by the courts or enactment by legislation of a law or rule inconsistent therewith. The second and contrary legislation or court decision nullifies the first and acts in effect as a repeal.

Absolute Monarchy. See MONARCHY.

Absolute Rights. See NATURAL RIGHTS.

Absolutism is the term applied to that type of government wherein the sovereign is not restrained in his acts by consti-

tutional provisions. Another name is absolute monarchy. See MONARCHY.

Accidental President, a term applied to a Vice-President of the United States upon his accession to the Presidency through the death, resignation or removal of the President. The term was first applied to President John Tyler by political enemies, who sought by ridicule to weaken his administration. Besides Tyler, there have been four "accidental" Presidents, viz., Millard Fillmore, who succeeded Zachary Taylor in 1850; Andrew Johnson, the successor of Abraham Lincoln in 1865; Chester A. Arthur, who followed James A. Garfield in 1881; Theodore Roosevelt, who had been chosen Vice-President at the second election of President McKinley. The fact that five times in sixty years the Vice-President has become Chief Executive through the death of the President has led political parties which have hoped for success at the polls to choose as nominees for the second office men of proved ability and strength. Too frequently political expediency has governed the nominations for the Vice-Presidency.

Acknowledgment, the vouching for the genuineness of a signature or an act; the formal declaration of an act before competent authority, to give it legal validity, as the acknowledgment of a deed. Acknowledgment may be taken before a Justice of the Peace or a Notary Public. A deed is binding upon the person who signs it, without acknowledgment, in the same sense that any contract is binding, but it cannot be recorded unless it has been properly acknowledged. In some States, however, the affidavit of a subscribing witness to the genuineness of a grantor's signature is accepted in place of the acknowledgment. Under the laws of possibly a majority of the States when a husband and wife execute a deed the law requires that the officer shall take the acknowledgment of the wife separate and apart from her husband. An instrument may be acknowledged on the day it is dated, or on any date thereafter.

Act, the formal declaration or expression of the will of the people, as made by their representatives, acting in a legislative capacity; a bill after it has been passed by the law-

making department of a government, either local or national, and has received Executive approval; a law passed by legislative authority; a statute. The origin of the legal use of the word is in the *acta* of the Roman magistrates, or of their courts of law, meaning, what was done by the magistrates, or the record of public proceedings.

Nearly all State Constitutions provide that acts shall become effective either sixty or ninety days after receiving the signature of the Executive, unless there is other express provision in the act itself. Quite frequently one clause of an act states the time at which it shall become effective.

A bill passed by the Legislative Department may become a law in three ways: first, by being signed by the Executive within ten days of its passage by that branch of the law-making body last voting upon it; second, by being passed over the Executive's veto, in which case the affirmative votes must equal two-thirds of the membership of each legislative branch—not a two-thirds vote of the members present; third, by a "pocket veto." (See VETO; POCKET VETO; CONSTITUTION, Article I, Section 7.) State and municipal governments follow closely the method above outlined.

No act can be legal and constitutional if it embraces in its title more than one subject; neither can it be effective if not introduced by its enacting clause [q. v.]. See BILL.

Active Commerce, a term signifying exports carried in ships owned in the nations producing the cargo. Therefore, if a nation's trade with other countries is carried by foreign vessels, it is said to have no active commerce; such a condition of trade is called passive commerce.

Adjournment, a parliamentary term signifying termination of the session of a deliberative body. Adjournment may be taken to a specified future day or hour, or may be without date for reconvening. If the adjournment is from one hour to another of the same day, or from one day to another specified date, the interval is called a recess; if it is without date of reconvening, the adjournment is *sine die.* There is no power which can call again into existence a body which has adjourned

sine die. In parliamentary practice there is no recorded instance of embarrassment resulting from this rule.

Congress may not vote to adjourn except as both Houses may concur in the action; this provision of the Constitution is operative, however, only in cases where the proposed adjournment of either House is for more than three days. Thus, either House may command the presence of the other, regardless of the disagreement of the two on matters of legislation. The President may by law name a date for the final adjournment of Congress, if agreement cannot be reached in the ordinary way. No President has yet been called upon to act in such emergency.

Adjutant, a staff officer of a post, battalion, squadron or regiment, whose duty is to assist the commanding officer, of whatever rank, in the details of military work. The adjutant is appointed by the commanding officer, and he is engaged largely in training and disciplining his command. He is responsible for the proper keeping of all records and rosters of duty, for the receipt and distribution of orders from higher authorities, and for the issuance of all orders of his commanding officer. The adjutant is in effect the secretary of his commander.

Administration. The term in its fullest sense includes [a] the period of time during which one set of executive officers has the direction or oversight of public affairs; [b] the persons collectively composing said executive department; [c] the official acts of these persons during their tenure of office. A national administration continues four years, the time for which the President is elected; in municipal affairs, usually one year, or the term of the Mayor; in the State, one, two or four years, as may be provided in the Constitution for the term of the Governor.

The word has a lesser significance in the cases of receivers, administrators and other appointees to minor positions. See Receiver; Administrator.

Administrations of the United States. For the officers of the different administrations, since the foundation of the

Government, and the functions of each, see the various departments, in alphabetical order.

Administrator, [a] one who manages affairs of any kind in a public way; [b] a person lawfully appointed by a court to manage and settle the estate of a person who dies leaving no will, or of a person who dies leaving a will but with no competent executor to carry it into effect. The administrator of an estate is usually selected from the near relatives or friends of the deceased. Administrators are placed under bond for the faithful performance of the duties laid upon them, and are responsible only to the court from which the appointment and authority issue.

A person is administrator of an estate, executor of a will, or receiver of a business firm. The three terms are practically synonymous. See EXECUTOR; PUBLIC ADMINISTRATOR.

Administratrix, a female administrator; a form of the word sometimes used is administratress. Administratrice is an old spelling, now obsolete. For the duties of this officer, see ADMINISTRATOR.

Admiral. The word admiral is of Arabic origin; it was introduced into Europe during the Crusades and adopted readily by every maritime nation. The term signifies the office of highest naval rank, and appointment to the position is for life. In the United States and Great Britain there are three grades of Admirals—the Admiral, the Vice-Admiral and the Rear-Admiral; the second and third are discussed in this work in their alphabetical order. No authority for the appointment of an Admiral in the service of the United States was voted by Congress until 1864, when it was desired to honor Commodore Farragut. At his death David Porter, then Vice-Admiral, was named as Admiral. When he died in 1890, the grade lapsed until 1899, when through the fortunes of war Commodore George Dewey was named a Rear-Admiral and elevated within a month thereafter to the highest grade. The Admiral's flag, a rectangular blue field with four white stars, is always displayed at the mainmast of any vessel on which he may be stationed. The office pays a salary of $13,500 per year, whether duty is

on shore or at sea. The officer of land forces of the same rank as Admiral is General of the Army. Both of these offices are of such exalted rank that the honors attending them are reserved for the very few men whose deeds of valor unmistakably entitle them to distinction. See NAVY OF THE UNITED STATES; COMPARATIVE RANK IN ARMY AND NAVY.

Admiralty, the name given to a court jurisdiction which takes cognizance of suits or actions, either civil or criminal, which arise in consequence of acts committed upon the seas, or suits or actions relating to the seas. Such jurisdiction extends also to all other public waters, which include lakes and navigable rivers.

Admiralty Court, the court having jurisdiction in admiralty cases. In the United States admiralty powers are vested in the United States District Court. Appeals may be taken to the Federal Supreme Court.

Admiralty Droit. Droit means legal right or claim of ownership, as distinguished from mere possession. The phrase, now obsolete, refers to the proceeds of wrecks, the goods of pirates, ships taken in war by other than naval commissioned officers, and the like.

Admiralty Laws are the systems of laws and procedure relating to maritime transactions. The name is due to the fact that in England all cases pertaining to the high seas [q. v.] were heard and decided by the Lord High Admiral, who followed rules adopted from the code of civil laws. The Constitution of the United States consigns all admiralty cases to the jurisdiction of the Federal Courts; by the rules of practice they are heard first in the United States District Court, then may go on appeal to the United States Circuit Court of Appeals, some of them eventually reaching the Supreme Court. Not only are all cases arising on the high seas under the jurisdiction of the Federal Courts, but all arising on the Great Lakes and on navigable rivers, as well. It is obvious that if State courts were given jurisdiction over these cases, many times disputes would arise as to which of two or more States should assume control of the controversy.

Admission of States to the Union. In the table below will be found the dates upon which the original thirteen States ratified the Federal Constitution and by that act formally entered the new Union:

No.	State.	Date.
1	Delaware	December 7, 1787
2	Pennsylvania	December 12, 1787
3	New Jersey	December 18, 1787
4	Georgia	January 2, 1788
5	Connecticut	January 9, 1788
6	Massachusetts	February 6, 1788
7	Maryland	April 28, 1788
8	South Carolina	May 23, 1788
9	New Hampshire	June 21, 1788
10	Virginia	June 26, 1788
11	New York	July 26, 1788
12	North Carolina	November 21, 1789
13	Rhode Island	May 29, 1790

It would be unfair to the others to say that Delaware was the first State in the American Union; representatives of all the thirteen labored to produce the Constitution; ratification in all cases was certain, and in most cases was as speedy as local conditions permitted.

The Territories existing at the time the new Union was organizing, and those which were formed later, entered the family of States only by permission of Congress, after that body assured itself of the fitness of each applicant. A sufficient population to entitle the State to one Representative in Congress [See Basis of Representation] has from the first been a chief requisite; the class of population is clearly another. Political expediency has unfortunately decided either for or against a candidate for Statehood.

When the number of people in a Territory equals the number required to secure a Representative in Congress, the inhabitants may unite in a petition for permission to form a State Government. This petition reaches Congress through the Territory's Delegate in Congress. If the petition is granted, an enabling act is passed. This may properly define the extent

of territory to be comprised in the new State; it provides for the calling of a Constitutional convention, states the number of Representatives the State may have in Congress until the next Federal census, and may declare specifically on other points, such as school lands, public buildings, etc.

The new Constitution is drawn by a convention composed of delegates elected from the citizens of the Territory. Its work is submitted to the people for ratification, unless by prior agreement the work of the convention is final. One copy of the new document is forwarded by messenger to the President of the United States, and another is sent to Congress. If this Constitution in no sense violates provisions of the Federal Constitution and is framed in the spirit of republican institutions, it is accepted by vote of Congress and given Executive approval. If a defect is discovered in any clause, or if a principle is enunciated which Congress considers dangerous, the document is returned to the Territory for revision. The table below names each Territory, the numerical order of admission and date of entrance into the Union:

No.	Territory	Date
14	Vermont	March 4, 1791
15	Kentucky	June 1, 1792
16	Tennessee	June 1, 1796
17	Ohio	November 29, 1802
18	Louisiana	April 8, 1812
19	Indiana	December 11, 1816
20	Mississippi	December 10, 1817
21	Illinois	December 3, 1818
22	Alabama	December 14, 1819
23	Maine	March 3, 1820
24	Missouri	August 10, 1821
25	Arkansas	June 15, 1836
26	Michigan	January 26, 1837
27	Florida	March 3, 1845
28	Texas	December 29, 1845
29	Iowa	December 28, 1846
30	Wisconsin	May 29, 1848
31	California	September 9, 1850
32	Minnesota	May 11, 1858

No.	Territory	Date
33	Oregon	February 14, 1859
34	Kansas	January 29, 1861
35	West Virginia	June 20, 1863
36	Nevada	October 31, 1864
37	Nebraska	March 1, 1867
38	Colorado	August 1, 1876
39	North Dakota	November 2, 1889
40	South Dakota	November 2, 1889
41	Montana	November 8, 1889
42	Washington	November 11, 1889
43	Idaho	July 3, 1890
44	Wyoming	July 10, 1890
45	Utah	January 4, 1896
46	Oklahoma	November 16, 1907

The Union lost eleven States by secession to the Southern Confederacy, in 1860 and 1861. The dates on which secession became effective and the time of re-admission are tabled below:

State	Ordinance of Secession passed	Re-admitted
South Carolina	December 20, 1860	June 25, 1868
Florida	January 10, 1861	June 25, 1868
Alabama	January 11, 1861	June 25, 1868
Mississippi	January 15, 1861	February 17, 1870
Georgia	January 19, 1861	July 15, 1870
Louisiana	January 26, 1861	June 25, 1868
Texas	March 23, 1861	March 30, 1870
Virginia	April 17, 1861	January 26, 1870
Arkansas	May 6, 1861	June 22, 1868
North Carolina	May 20, 1861	June 25, 1868
Tennessee	June 24, 1861	July 24, 1866

Form of Proclamation. As an example of the form of public announcement made by the President upon the admission of a new State, below is given the proclamation of President Benjamin Harrison, in 1889, with reference to Montana:

Whereas, The Congress of the United States did, by an act approved on the 22d day of February, 1889, provide that the inhabitants of the Territory of Montana might, upon the conditions prescribed in said act, become the State of Montana; and,

Whereas, It was provided by said act that delegates elected, as therein provided, to the Constitutional Convention in the Territory of Montana should meet at the seat of government of said Territory, and

that, after they had met and organized, they should declare, on behalf of the people of Montana, that they adopt the Constitution of the United States, whereupon the said convention should be authorized to form a State Government for the proposed State of Montana; and,

Whereas, It was provided by said act that the Constitution so adopted should be republican in form and make no distinction in civil or political rights on account of race or color, except as to Indians not taxed, and not be repugnant to the Constitution of the United States and the principles of the Declaration of Independence; and that the convention should, by an ordinance irrevocable without the consent of the United States and the people of said State, make certain provisions prescribed in said act; and,

Whereas, It was provided by said act that the Constitution thus formed for the people of Montana should, by an ordinance of the convention forming the same, be submitted to the people of Montana at an election to be held therein on the first Tuesday in October, 1889, for ratification or rejection by the qualified voters of said proposed State, and that the returns of said election should be made to the Secretary of said Territory, who, with the Governor and Chief Justice thereof, or any two of them, should canvass the same; and if a majority of the legal votes cast should be for the Constitution, the Governor should certify the result to the President of the United States, together with a statement of the votes cast thereon, and upon separate articles or propositions, and a copy of said Constitution, articles, propositions, and ordinances; and,

Whereas, It has been certified to me by the Governor of said Territory that within the time prescribed by said act of Congress a Constitution for the proposed State of Montana has been adopted and that the same, together with the ordinances connected therewith, has been ratified by a majority of the qualified voters of said proposed State, in accordance with the conditions prescribed in said act; and,

Whereas, A duly authenticated copy of said Constitution and ordinances as required by said act has been received by me;

Now, therefore, I, Benjamin Harrison, President of the United States of America, do, in accordance with the provisions of the act of Congress aforesaid, declare and proclaim the fact that the conditions imposed by Congress on the State of Montana to entitle that State to admission to the Union have been ratified and accepted, and that the admission of the said State into the Union is now complete.

In testimony whereof, I have hereunto set my hand and caused the seal of the United States to be affixed.

Done at the City of Washington this eighth day of November, in the year of our Lord one thousand eight hundred and eighty-nine and of the independence of the United States of America the one hundred and fourteenth. BENJAMIN HARRISON.

By the President: JAMES G. BLAINE, Secretary of State.

Ad Valorem, a term from the Latin, meaning "according to value." See CUSTOMS DUTIES.

Affidavit, a voluntary statement of facts, made in writing, signed, and sworn to before an officer qualified by law to administer an oath. It is prefaced by the name of the State, and the county, city, town or other municipal division over which the jurisdiction of the officer extends. The laws demand no particular form of composition, but legal phraseology is usually employed. Penalties are prescribed in all States for false swearing. A small fee may be exacted as the officer's compensation.

Affirm, to declare a fact in formal manner. See AFFIRMATION.

Affirmation, a solemn declaration of fact, not made under oath. Certain religious societies oppose any form of oath, and many people without special religious convictions conscientiously object to taking an oath. Obviously, the laws could demand the conventional oath on all occasions, but to do so would be unjust, if another form of statement could be made binding by statute. The affirmation is the alternative which has been provided by law to cover such cases, and when made, it has the full binding force of an oath. It is administered with like formality, with like penalties for perjury attached. Every legal enactment reciting a form of oath provides for an alternative affirmation. Thus, the oath taken by the President of the United States could be made an affirmation by the form, "I do solemnly affirm," etc. Either the word "swear" or the word "affirm" is omitted in repeating the prescribed form. See OATH.

Agriculture, DEPARTMENT OF. While a Government department devoted to agriculture was established in 1862, it was given the status only of a bureau of the Department of the Interior. Its chief officer then was styled Commissioner of Agriculture. In 1889, owing to the increasing importance of the agricultural interests of the country and of the necessity for giving them adequate recognition, this bureau was raised to the rank of an Executive department, styled the Department

of Agriculture, and its head became a member of the President's Cabinet, with the title of Secretary of Agriculture. In this department are grouped the Weather Bureau, the Bureau of Animal Industry, the bureaus of Statistics, Chemistry, Forestry, Plant Industry, Soils, Entomology, Biological Survey, and a number of other lesser divisions devoted to special inquiry into various phases of agricultural science. The Department is in active co-operation at all times with the various State Agricultural Experiment Stations which have been established for the investigation of local agricultural problems. See AGRICULTURE, SECRETARY OF.

Agriculture, SECRETARY OF. When the Department of Agriculture was raised to the dignity of one of the Executive departments of the Government, the Secretary of Agriculture became the eighth member of the President's Cabinet. From 1862, when the Department was organized as a bureau of the Interior Department, to 1889, this officer was styled the Commissioner of Agriculture. Since the latter year, he has been the official head, under the President, of the Department. Unlike the seven other members of the Cabinet named before him, the Secretary of Agriculture is not eligible to the Presidency by succession, as the succession law was passed in 1886, three years before he became a member of the Cabinet. The salary of this officer was made the same as other members of the Departments at the time, $8,000; in 1906 it was raised to $12,000. See AGRICULTURE, DEPARTMENT OF; CABINET OF THE PRESIDENT; PRESIDENTIAL SUCCESSION.

The names of the incumbents of this office are given below:

Norman J. Coleman,	Missouri,	Appointed February 12, 1889
Jeremiah M. Rusk,	Wisconsin	" March 5, 1889
J. Sterling Morton	Nebraska	" March 6, 1893
James Wilson,	Iowa,	" March 5, 1897
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Aide de Camp means camp assistant. He is a military officer detailed on the staff of a commanding general officer,

to assist the latter in the performance of military and social duties. The position carries with it, when not in field service, certain social prestige, and requires some social qualities to insure success. Younger officers especially seek such assignments.

Alabama. After having formed in turn a part of Georgia and a part of Mississippi, Alabama was made into a Territory of the United States, March 3, 1817, and on December 14, 1819, was admitted as a State into the Union. While a Territory, the capital was St. Stephens; in 1820 the seat of government was removed to Cahaba; in 1826 to Tuscaloosa, and in 1847 to Montgomery. On the 11th of January, 1861, the State seceded from the Union and joined its fortunes with the Confederacy. In 1865 Alabama fell into the hands of the Federal army and remained under military supervision until 1868.

STATE SEAL OF ALABAMA

Government. During the period of reconstruction following the Civil War, much disorder arose from corrupt government and violent party politics. A new Constitution was adopted in 1875, which was superseded by a third which went into effect November 21, 1901. It was the intention of the framers of the present Constitution to place such restrictions on the right of suffrage as would bring about a legal disenfranchisement of the negroes. According to its provisions, all persons who had served in either the Northern or the Southern army, and all descendants of such persons, if of good character and able to comprehend the requirements for citizenship, might register as life electors before December 20, 1902. After January 1, 1903, additional qualifications were required of voters, including the ability to read and write any article of the Constitution of the State or of the United States, and property qualifications and the pursuit of some lawful occupation or profession. The usual restrictions as to length of residence in State, county and precinct were also in force.

The Executive officers include the Governor, Lieutenant-Governor, Secretary of State, State Auditor, State Treasurer, Superintendent of Education, Attorney-General and Commissioner of Agriculture and Industries. These are all chosen for a term of four years and are not eligible to re-election. The Legislature consists of a Senate of 35 members, and a House of Representatives of 105 members. All legislators are chosen for a term of four years and receive $4 per day and traveling expenses while in attendance upon sessions. A legislative session is held every four years and is limited to 90 days in length. The judiciary consists of a Supreme Court, Chancery courts, Circuit, County, City and Justice courts, and courts of equity.

Alabama Claims. The adjustment of the claims of the United States against Great Britain for damages inflicted during the Civil War by the "Alabama" settled for all time a point of international law on which the world's governments up to that time had not been in accord. The "Alabama" was a wooden ship, equipped with fourteen guns, and cost about $250,000. At one of the Azore Islands, belonging to Great Britain, the boat received guns, stores and coal. A Confederate commander, Captain Semmes, at once took command, ran the Confederate flag to the masthead, and began to destroy Union shipping, wherever found. In two years of uninterrupted devastations the "Alabama" captured or sunk nearly sixty vessels, with property aboard valued at over four million dollars. A few months after the ship began its piratical career Secretary of State Seward notified the Government of Great Britain that the United States would consider damages were due her for injuries done to Union commerce by every vessel fitted out in British waters. Besides the "Alabama," a number of other vessels equipped in English harbors preyed upon American commerce in the name of the Confederacy, and the damage done by all were included in the "Alabama" claims. The Englishmen protested against the American demands, but finally agreed to submit the matter to arbitration. A congress met at Geneva, Switzerland, December 17, 1871, consisting of

representatives of Great Britain and the United States and three members appointed by the King of Italy, the Emperor of Brazil and the President of Switzerland. The decision was not rendered until in September of the following year, when the contention of the United States Government was upheld. Great Britain was ordered to pay the United States a little more than sixteen million dollars for the damages inflicted. The full claims of the Government, a small part of which were not allowed by the arbitrators, the offending vessels and losses charged against each, appear in the following table:

	No. Vessels Destroyed	Losses
Alabama	58	$ 6,547,609.86
Boston	1	400.00
Chickamauga	3	95,654.85
Florida	38	3,698,609.34
Georgia	5	383,976.50
Nashville	1	69,536.70
Retribution	2	20,334.52
Sallie	1	5,540.00
Shenandoah	40	6,488,320.31
Sumter	3	10,695.83
Tallahassee	17	579,955.55
For losses from increased war premiums		1,120,795.15
		$19,021,428.61

For complete historical description of the "Alabama" and her career, consult any complete United States History. See GENEVA AWARD.

Alaska. For some years prior to 1867, the Government of the United States and the officials of the Russian Empire were conducting negotiations for the transfer of Alaska to the ownership of the United States. On October 18th of the year mentioned, the formal session took place at Sitka, our Government having agreed to pay $7,200,000 for the territory.

Government. Alaska has not yet received a Territorial form of government, but its affairs are administered as a Federal District. In 1906 the capital was transferred from

Sitka to Juneau, and there reside the Governor, United States Commissioners, Marshals, and Judges, all appointed by the President of the United States and confirmed by the Senate. There is no legislative body for Alaska, its affairs being entirely in the hands of Congress. It is expected that a regular Territorial form of government will soon be provided, in order that the rapidly increasing population may be represented in Washington by a Delegate and a measure of self-government inaugurated. The increasing importance of Alaska makes this step justifiable. Towns of 300 or more population have been allowed by Congress to incorporate for local self-government.

Albany Conventions. From its central location in the northern colonies, Albany, on the Hudson River, was early a favorite meeting place for various conventions called to discuss important movements of the times and take such action relative thereto as would best serve the interests of the various colonies. To the student of government these colonial assemblies are important, for they represent the first steps toward unity and political independence, however little this fact was suspected by the principal actors at the time. The history of the human race is really the account of its rise from conditions of barbarism and slavery towards civil liberty; the Albany Conventions, the Colonial Congress and the Continental Congress were the visible signs of the universal struggle as witnessed on the American stage. Followed step by step from the first Albany Convention to the vote on the Declaration of Independence in 1776, it is seen that the various assemblies rapidly developed strength of purpose and learned quickly in the school of experience, which largely accounts for the wisdom displayed later in the framing of the Constitution.

First Colonial Convention. In 1690 the colonists of Massachusetts, Plymouth and Connecticut sent commissioners to Albany to hold conferences with the chiefs of the Five Nations, all of whom, except the Mohawks, had been sworn in a covenant of friendship with the English. But little was accomplished which could be looked upon with the assurance that benefits would be permanent.

Second Colonial Convention. In 1748, at the conclusion of King George's War, when news of the preliminary treaty of peace reached the colonies, a convention of colonial governors was called to meet at Albany to secure colonial revenue and to strengthen the bond of friendship between the Six Nations and other Indian tribes and the English. There were but three governors present, but the convention was largely attended by Indians. The governors did not succeed in gaining for themselves additional revenue, but were successful in making arrangements with the Indians which guaranteed peace and friendship with the tribes as far west as the southern borders of Lake Erie.

Third Colonial Convention. In 1751 delegates from nearly all the northern colonies met the chiefs of the Six Nations at Albany, for the purpose of making a treaty of friendship. The English were somewhat jealous of the friendly attitude which they saw existed between the French and the Six Nations and felt the necessity of counteracting this influence if possible and securing even stronger bonds of friendly association.

Fourth Colonial Convention. Three years later there were indications that the Indians and the French were joining issues against the English, and the British Government, upon advice of nearly all the royal governors in America, sent a plea to all the colonies to send delegates to Albany to discuss the alarming condition. Seven colonies responded, and in 1754 twenty-five delegates assembled. This was the most important of the Albany Conventions, because the state of affairs presented the darkest outlook that the struggling colonies had ever confronted. The object of the meeting was to form a treaty of alliance with the Six Nations and to enter into a union or confederation with each other for mutual defense. A plan of federation was proposed by Benjamin Franklin, by which each colony was left to continue its government in its existing form, giving to its local legislature the power to choose members of a general council which should be the legislature or congress of all the colonies in the union. This body was to meet annually. It was soon discovered that the plan met with but little favor

from any of the colonies, as it was not yet evident that the time was ripe for union. See FRANKLIN'S PLAN OF UNION.

Albany Regency was the name applied to a group of unusually able politicians in the State of New York for thirty years prior to 1850. The command of a great party in New York State naturally exerted a powerful influence in the political affairs of the whole nation. They maintained their leadership by political sagacity, expertness in the management of men, and more than all else, by a thorough application of the "spoils system" [q. v.]. Martin Van Buren was one of its leading members.

Alias, a word generally used in its adverbial form, meaning *otherwise called;* from the Latin *alias dictus.* In the phrase, James Brown *alias* William Green, the reader understands that James Brown, for some reason best known to himself, has changed his name to William Green, without consent of law. Another use of the word is found in the administration of law, and may be defined as a second writ to the same effect as a former one, issued after the first has failed. This definition is little understood by the general public, and is seldom used.

Alien, as an adjective, owing allegiance to another country; foreign; unnaturalized. As a noun, one born in another country than the one in which he resides, therefore not possessing the rights of citizenship at present place of residence; one who owes allegiance to a foreign Government. Every civilized nation guarantees protection to the life and personal rights of aliens residing within its territory, placing them in this respect on the same plane with its citizens, but does not give them political rights. See ALIEN AND SEDITION LAWS; NATURALIZATION.

Alien and Sedition Laws, laws passed by the Congress of the United States in 1798, conferring extraordinary power upon the President to banish from the country any alien or to imprison any citizen whose acts or utterances were considered dangerous to the young Republic.

Alien Laws. During the first ten years of the nation's history, the immigrants to the United States were largely

Frenchmen who left France for political reasons, and Englishmen, Scotchmen and Irishmen who had left their country because of severe measures of repression. Their presence brought to this Government one of many new and vexing problems; they carried across the sea much of the bitter feeling engendered in the discord at home, and while many of them were men of highest aims and purposes, perhaps nearly 100,000 of this mixed citizenship were ready for intrigue or any scheme of mischief. In 1798 war with France seemed certain, and it was deemed necessary to protect the Government against internal foes. During less than one month of the summer of that year, three acts were passed looking to this end. By the first, June 18, the naturalization laws were made more stringent and alien enemies could not become citizens under any plea. The second act, June 25, was limited in its operation to two years, and gave the President authority to order forthwith from the country any alien whom he might judge to be dangerous to the peace and safety of the United States. This was the law which gave to the three statutes their greatest notoriety; the majority of citizens, while recognizing the necessity of ample protection against dangerous outside influences, openly condemned this act as placing too much arbitrary power in the hands of one man. By the third act, July 6, it was decreed that in case of war, all resident aliens who were natives or citizens or subjects of the hostile nation, might, upon proclamation by the President, be arrested and secured or forcibly removed from the country. While this third law also placed great arbitrary power in the Executive, it will be observed that it was less dangerous than the second, because the power delegated could be exercised only in case of war. These three laws were known as the Alien Laws. General sentiment was against them, and the President never found it necessary or wise to enforce them. The effect of their passage was salutary, however, as a number of Frenchmen, who felt they were especially aimed at, left the country at the first opportunity. Repeal of the three laws occurred a year later, and the administration was defeated for re-election in 1800.

Sedition Law. Eight days after the third Alien law was passed, another act was rushed through Congress providing punishment for sedition [q.v.]. The Alien Laws were of course inoperative against citizens of the United States; it would be impossible legally to banish a citizen from his own country, for such an act would be repugnant to the spirit of our institutions. The discontented of Europe, whose presence in the United States is explained in the discussion of the Alien Laws, found many Americans ready to listen to any mischievous scheme or to lend a ready tongue to spread slander and discord. The Sedition Law was calculated to reach this irresponsible class of citizens. By its terms, it was made a misdemeanor, punishable by a fine not to exceed $5,000, or imprisonment for from six months to five years, for any person to combine with others in opposing measures of the Government properly directed by authority, or attempting to prevent Government officers from performing their duties, or inciting to riot or insurrection. It also provided for fine or imprisonment against any person guilty of printing or publishing "any false, scandalous, and malicious writings against the Government of the United States, or either House of Congress, or the President, with intent to defame them or to bring them into contempt or disrepute." This last was a provision which raised a violent storm of opposition and protest. The right of freedom of speech and of the press had not yet been guaranteed in the United States by law, but the people had until this time freely exercised these rights and believed it a matter of injustice that any official or administration detected in wrong-doing should be made to feel the weight of public censure. The best friends of the administration were nearly unanimous in condemning the Sedition Law, and it was soon repealed.

Allegiance, the duty of unwavering fidelity which a person owes to his Government in return for the protection which it affords him. Every citizen of the United States owes paramount allegiance to the United States Government; allegiance to his State Government is secondary. The opposite opinion was settled permanently by the results of the Civil War, during

which the question of State sovereignty was the leading issue. As to foreigners, no such person can become a citizen of the United States until he has first renounced his allegiance to his former Government. European nations formerly contended that the tie of allegiance once formed could not be severed by the voluntary act of the subject, but this view has been reversed, owing to the contrary view held by the United States. The right of a person to change his allegiance at will, by conforming to legal requirements, is now recognized by all leading countries except Russia and Turkey. See EXPATRIATION; NATURALIZATION; OATH OF ALLEGIANCE, subhead under OATH.

Natural Allegiance, the allegiance due from any person to the country of his birth, as distinguished from subsequently acquired allegiance.

Allegiance, OATH OF. See OATH; ALLEGIANCE.

Alliance, INTERNATIONAL. This is a name given to a union between sovereign nations, for purposes of offense or defense, the terms of which are usually named specifically by treaty or secret agreement. The United States has never, so far as the public knows, entered into secret alliances with European nations; its policy has been one of non-interference in the affairs of foreign nations, and all of our relations with other Governments have been specifically expressed in treaties which have been published to the world. See TREATY.

Alloy. Any combination or compound of metals mixed in any given proportion is called an alloy. In the common use of the term, the baser, i. e., the inferior metal, is named as the alloy, although the designation is not strictly accurate. Discussed in the latter and commonly accepted use of the term, it may be said that alloys are nearly always harder than the individual metals which compose them; both gold and silver in their pure state are quite soft and are easily worn away by use; a certain proportion of copper is added, therefore, to give requisite durability and hardness. In this case the copper is the alloy, so called; in silver and gold coins, it is ten per cent of the mixture. The proportion of alloyed metals in our national coins is fixed by acts of Congress. See COINAGE.

Ambassador, the officer highest in diplomatic rank and dignity in the foreign service of a Government; he is commissioned by his sovereign or the head of the Government (as the President of the United States) to represent his country at a foreign court, and is entrusted with power to treat upon matters of state affecting his country. The ambassador differs from the minister plenipotentiary [q. v.], next in rank, in that while the latter is the diplomatic representative of his country, the ambassador, in addition to this honor, represents as well the person of his sovereign or head of his Government at the court to which he is accredited. The difference in dignity between a general representative of a country and the personal representative of a ruler is at once apparent; the latter has many privileges not accorded the former. When a minister would bring any matter of business to the attention of the Government to which he is accredited, he does it through the officers of state of that Government, as the Prime Minister [q. v.], or head of the Department of State; an ambassador, representing the person of the sovereign, or ruler, has the right to demand admission directly to the presence of the ruler. This right, while fully recognized and preserved with due regard to its dignity and importance, is seldom demanded, the majority of communications passing through the Foreign Office [q. v.].

In the United States, ambassadors and other diplomatic officers are appointed by the President, but the Senate must sanction the choice of the Executive. The commission is for the Presidential term of four years; the office is political, the appointee not being protected by the civil service laws. When the American diplomatic service was first organized, the officer highest in rank was called envoy extraordinary and minister plenipotentiary. In 1893 Congress passed an act providing that whenever a foreign Government raised the rank of its representative at Washington to ambassador, the United States Government should elevate its representative to that Government to the same rank. Under this law we now send ambassadors to Great Britain, France, Russia, Germany, Brazil, Austria, Japan, Mexico, Turkey and Italy. The annual

salary of an ambassador of the United States is $17,500, a very small amount compared to the salaries paid by the great European powers. England pays her ambassador to the United States $50,000 per year. See DIPLOMATIC SERVICE; ENVOY EXTRAORDINARY AND MINISTER PLENIPOTENTIARY; MINISTER RESIDENT; CHARGE D'AFFAIRES; CONSUL; EXTERRITORIALITY.

Ambassador Extraordinary. Occasionally in the conduct of affairs between nations a special officer is delegated to conduct a very delicate mission or to give a Government additional representation at some great national function. Such an appointee is called an ambassador extraordinary. In the first case above mentioned, he would take precedence of the regularly accredited ambassador or minister before the foreign court, although acting with him in the conduct of negotiations. The appointment is temporary.

Amendment, any change made in a fundamental law, according to a prescribed mode of procedure; the act of modifying or proposing a modification in a bill, an act or a motion in any deliberative body. An amendment of a law may be direct, as when the former law may be expressly referred to in the later act, or it may be indirect, as is the case when the second act contains provisions inconsistent with the first. In either case the amendment is deemed to be incorporated in the original act and made a part thereof. The right of the States to amend statutes is limited only by constitutional provisions.

Amendments to the Constitution. One of the Articles of the Constitution of the United States [Article V] relates to the manner in which that document may be altered by amendment. It is beyond belief that any instrument outlining principles of government shall enjoy continuous existence without change; new issues and national crises as well as normal growth may demand improved methods or devices by which control is exercised. While modification is inevitable, it is the part of wisdom to provide against whimsical changes or propositions which are the outgrowth of temporary public clamor. The framers of the Constitution placed adequate

safeguards around the power of amendment, in the language of Article V:

> The Congress, whenever two-thirds of both Houses shall deem it necessary, shall propose amendments to this Constitution, or, on the application of the legislatures of two-thirds of the several States, shall call a convention for proposing amendments, which, in either case, shall be valid to all intents and purposes, as part of this Constitution, when ratified by the legislatures of three-fourths of the several States, or by conventions in three-fourths thereof, as the one or the other mode of ratification may be proposed by the Congress; Provided, that no amendment which may be made prior to the year one thousand eight hundred and eight shall in any manner affect the first and fourth clauses in the ninth section of the first article; and that no State, without its consent, shall be deprived of its equal suffrage in the Senate.

There are two conservative methods, therefore, by which amendments may be proposed, and the sober judgment of the best minds in all the States of the Union passes upon their worth, usually after months of deliberation. Congress naturally proposes amendments, it being the governmental body and best informed as to national ills and remedies. Issues may arise, however, affecting the personal or political fortunes of members of one or both branches of Congress, in which event an amendment which is much desired by the people might fail to secure the requisite Congressional majority vote, as, for instance, the issue of election of Senators by direct vote of the people. This question has been discussed for many years; the House of Representatives for obvious reasons has several times expressed the desire to submit such an amendment, but the Senate, for reasons equally clear, has almost unanimously rejected the proposal. It is evident, then, that under certain conditions Congress cannot be depended upon to inaugurate relief measures.

The second method of proposing amendments is cumbersome but in the plan involved there is ample assurance of deliberation and caution. If Congress remains deaf to appeals, two-thirds of the States may by resolution of their Legislatures demand a Constitutional Convention, which Congress is then obliged to call in formal manner. Conditions under which such

a request could pass unheeded can scarcely be imagined; the political future of practically every member of Congress from the States uniting in the petition would depend upon prompt compliance with the letter and spirit of the Legislative resolutions.

After the amendment has been proposed by Congress or by the Constitutional Convention, Congress decides whether ratification shall be by vote of the State Legislatures or by conventions called in the several States. In either case, three-fourths of the States must vote affirmatively or the amendment is lost. Through the President or the Department of State public announcement of the result of the vote is made, although Executive sanction or disapproval can have no weight in determining the fate of an amendment.

There are but three limitations to the power of amendment. First, Congress was prohibited by the Constitution from passing a law before 1808 forbidding the importation of slaves or from promoting in any manner restrictive measures. Second, the clause prescribing the manner of levying certain taxes could not be altered prior to 1808; this provision promoted stability during the early years of the new nation. These two limitations referred to the traffic in slaves. Third, no State could be deprived of its equal suffrage in the Senate without its consent. It was designed to protect the smaller States against the claim of the larger for more numerous representation in the Senate as well as in the House of Representatives. The first two limitations were not to be continued beyond the year 1808; the third, therefore, names the only clause of the Constitution containing a perpetual prohibition against amendment.

History of the Amendments. Nineteen amendments have been proposed thus far, all of them by Congressional initiative; it has never been necessary for the States to apply for a Constitutional Convention. Fifteen of the proposed amendments have been adopted, and all by vote of the Legislatures. The mode of ratification by State conventions has never been tried, probably for the reason that the first Congress adopted the other method and it proved very satisfactory.

The First Ten. One of the strongest objections to the new Constitution in the minds of the people was the lack of recognition of certain rights of citizens—a definite declaration of an American bill of rights [q. v.]. To secure the adoption of the Constitution in the form in which it came from the convention, amendments covering the points at issue were promised at the hands of the first Congress to assemble. [See ANTI-FEDERALIST. Accordingly, in September, 1789, that body passed a resolution proposing twelve amendments to the Legislatures of the thirteen States. Ten of these, the first ten of the present total of fifteen, were ratified as promptly as possible. The dates on which votes were taken by States were as follows:

New Jersey, November 20, 1789	Pennsylvania, March 10, 1790
Maryland, December 19, 1789.	New York, March 27, 1790
North Carolina, Dec. 22, 1789	Rhode Island, June 15, 1790
South Carolina, January 19, 1790	Vermont, November 3, 1791
New Hampshire, Jan. 25, 1790	Virginia, December 15, 1791
Delaware, January 28, 1790	

The ten were therefore a part of the basal law on and after December 15, 1791, the date when the last necessary State had ratified them. The two proposals submitted with the ten which did not receive the necessary three-fourths' vote were [1] to regulate the number of representatives and [2] to prevent congressmen from increasing their own salaries.

The Eleventh Amendment was proposed by the Third Congress, in March, 1794. Not until January 8, 1798, did it receive the necessary three-fourths' vote. The result was proclaimed by President John Adams.

The Twelfth Amendment was submitted by the Eighth Congress to the Legislatures of the several States, on December 12, 1803, and received prompt acceptance, the last necessary vote being given it on September 25, 1804.

From 1804 until 1865 there were no successful efforts in the direction of Constitutional change, although there were two attempts; the results of the Civil War, however, made additional modification imperative, and the Thirteenth, Fourteenth and Fifteenth amendments were proposed within

four years, and all were promptly ratified. The Thirteenth was proposed on January 31, 1865; the Fourteenth, on June 16, 1866; the Fifteenth, on February 27, 1869. The dates of ratification were December 18, 1865, July 21, 1868, and March 31, 1870.

The two additional proposals which were defeated were as follows: In 1811 an amendment was presented which prohibited citizens of the United States from accepting any titles, pensions, presents or any emoluments whatsoever from any foreign power, on pain of loss of citizenship. In 1861 there was an effort made to make slavery perpetual by Constitutional amendment, but it failed. The influences back of this movement hoped to avert the threatened war by securing the adoption of the proposition.

Various religious and civic bodies have petitioned Congress to propose amendments on many other subjects, but no action has been taken. Prominent among the causes advanced are the right of suffrage to women and an addition to the preamble of the Constitution of these words: "Acknowledging Almighty God as the source of all authority and power in civil government, the Lord Jesus Christ as the ruler among the nations, and His will, revealed in the Holy Scriptures, as of supreme authority, in order to constitute a Christian Government." This proposal was advanced by churchmen who deplore the absence of a recognition of God in the Constitution.

The full text of the amendments will be found under CONSTITUTION OF THE UNITED STATES.

American Cato. Samuel Adams was so called because of a supposed resemblance in character to the great Roman, Cato. Adams was a native of Boston, born in 1722, and died in 1802. He was one of the signers of the Declaration of Independence.

American Fabius. Fabius was a great commander of the legions of ancient Rome, who, despite the inferiority of his troops to those of the enemy in discipline and equipment, pursued a policy of avoiding hard battles and wearying his enemy by long marches, eventually defeating them. Because George Washington exhibited like successful generalship when

opposed by overwhelming forces, he gained the name of the "American Fabius."

American Party, a political organization founded in 1854, which was merged later into the Know-Nothing [q. v.] party. The latter name was given because of the endeavor of its members always to preserve secrecy as to their movements; they were instructed to reply "I do not know," to any question regarding their party. The American party was at first a secret political organization, the chief object of which was the proscription of foreigners by the repeal of naturalization laws and the exclusive choice of Americans for political office. In 1856 the party nominated Ex-President Fillmore for the Presidency, and he received eight electoral votes; in 1860 no nomination was made, but the party united with the Constitutional Union party, which received thirty-nine electoral votes. The American party reappeared in 1880 with a National ticket, but was given only 707 votes; in 1888 there were 1590 votes cast for the party's candidate in California, but in no other State in the Union. No nominations have since been made. See POLITICAL PARTIES IN THE UNITED STATES.

American System, a term originating in and pertaining to the tariff policy of the United States. Every nation promulgates a general scheme of tariff legislation and usually adheres quite closely to it for a long term of years, despite occasional political reverses. For more than a half century, the policy of those in power in this country has been to provide a tariff law which should give protection to home industries against the competition of European industries, by means of high tariffs on imports. Such a tariff scheme has been named the American System. See TARIFF.

American Whigs. See WHIG.

Amnesty, PROCLAMATION OF. President Lincoln, in accordance with his inaugural address in 1861, took the position that the Union of the States was indestructible, and that the acts of secession had but temporarily put the Southern States out of harmony with the remainder of the nation. He believed it to be his duty to restore former relations, and with this end in

view, the Proclamation of Amnesty was issued, in December, 1863, with the approval of Congress. The time was most opportune; the South had suffered various military reverses within the space of a few months and the outlook for the Southern cause was discouraging. The best evidence of the magnanimity of the Executive is found in the document, which is printed below in full:

WHEREAS, in and by the Constitution of the United States, it is provided that the President "shall have power to grant reprieves and pardons for offences against the United States, except in cases of impeachment;" and whereas a rebellion now exists whereby the loyal State governments of several States have for a long time been subverted, and many persons have committed and are now guilty of treason against the United States; and, whereas with reference to said rebellion and treason, laws have been enacted by Congress declaring forfeitures and confiscation of property and liberation of slaves, all upon terms and conditions therein stated; and also declaring that the President was thereby authorized at any time thereafter, by proclamation, to extend to persons who may have participated in the existing rebellion, in any State or part thereof, pardon and amnesty, with such exceptions and at such times and on such conditions as he may deem expedient for the public welfare; and whereas the Congressional declaration for limited and conditional pardon accords with well-established judicial exposition of the pardoning power; and whereas, with reference to said rebellion, the President of the United States has issued several proclamations with provisions in regard to the liberation of slaves; and whereas it is now desired by some persons heretofore engaged in said rebellion to resume their allegiance to the United States, and to reinaugurate loyal State governments within and for their respective States; Therefore,

I, Abraham Lincoln, President of the United States, do proclaim, declare, and make known to all persons who have, directly or by implication, participated in the existing rebellion, except as hereinafter excepted, that a full pardon is hereby granted to them and each of them, with restoration of all rights of property, except as to slaves, and in property cases where rights of third parties shall have intervened, and upon the condition that every such person shall take and subscribe an oath, and thenceforward keep and maintain such oath inviolate; and which oath shall be registered for permanent preservation, and shall be of the tenor and effect following, to wit:

"I, ——, do solemnly swear, in presence of Almighty God, that I will henceforth faithfully support, protect, and defend the Constitution of the United States, and the Union of States thereunder; and that I will in like manner, abide by and faithfully support all acts of Congress passed

during the existing rebellion with reference to slaves, so long and so far as not repealed, modified, or held void by Congress, or by decision of the Supreme Court; and that I will, in like manner, abide by and faithfully support all proclamations of the President made during the existing rebellion having reference to slaves, so long and so far as not modified or declared void by decision of the Supreme Court. So help me God."

The persons excepted from the benefits of the foregoing provisions are, all who are, or shall have been, civil or diplomatic officers or agents of the so-called Confederate government; all who have left judicial stations under the United States to aid the rebellion; all who are, or shall have been, military or naval officers of said so-called Confederate government, above the rank of colonel in the army, or of lieutenant in the navy; all who left seats in the United States Congress to aid the rebellion; all who resigned commissions in the Army or Navy of the United States, and afterwards aided the rebellion; and all who have engaged in any way in treating colored persons, or white persons in charge of such, otherwise than lawfully as prisoners of war, and which persons may have been found in the United States Service as soldiers, seamen, or in any other capacity.

And I do further proclaim, declare and make known, that whenever, in any of the States of Arkansas, Texas, Louisiana, Mississippi, Tennessee, Alabama, Georgia, Florida, South Carolina, and North Carolina, a number of persons, not less than one-tenth in number of the votes cast in such State at the presidential election of the year of our Lord 1860, each having taken the oath aforesaid, and not having since violated it, and being a qualified voter by the election law of the State existing immediately before the so-called Act of Secession, and excluding all others shall re-establish a State government which shall be republican, and in nowise contravening said oath, such shall be recognized as the true government of the State, and the State shall receive thereunder the benefits of the constitutional provision which declares that the United States shall guarantee to every State in this Union a republican form of government, and shall protect each of them against invasion; and, on application of the Legislature, or the Executive (when the Legislature cannot be convened), against domestic violence.

And I do further proclaim, declare and make known that any provision which may be adopted by such State government in relation to the freed people of such State, which shall recognize and declare their permanent freedom, provide for their education, and which may yet be consistent, as a temporary arrangement, with their present condition as a laboring, landless and homeless class, will not be objected to by the National Executive. And it is suggested as not improper, that, in constructing a loyal State government in any State, the name of the State, the boundary, the subdivisions, the Constitution, and the general code of laws, as before the rebellion, be maintained, subject only to the modifications made

necessary by the conditions hereinbefore stated, and such others, if any, not contravening said conditions, and which may be deemed expedient by those framing the new State government.

To avoid misunderstanding, it may be proper to say that this proclamation so far as it relates to State governments, has no reference to States wherein loyal State governments have all the while been maintained, and for the same reason, it may be proper to further say that whether members sent to Congress from any State shall be admitted to seats, constitutionally rests exclusive with the respective Houses, and not to any extent with the Executive. And still further, that this proclamation is intended to present the people of the States wherein the National authority has been suspended, and loyal State governments have been subverted, a mode in and by which the National authority and loyal State governments may be re-established within said States, or in any of them; and, while the mode presented is the best the Executive can suggest, with his present impressions, it must not be understood that no other possible mode would be acceptable.

Given under my hand, at the City of Washington, the 8th day of December, A. D., 1863, and of the independence of the United States of America the eighty-eighth.

By the President: ABRAHAM LINCOLN.

WM. H. SEWARD, *Secretary of State.*

Other Proclamations. On May 29, 1865, President Johnson issued a similar offer of amnesty, the oath being shorter, but of the same import. To the list of persons excepted from amnesty in Lincoln's proclamation Johnson added foreign agents of the Confederacy, Confederate soldiers or officers who were West Point or Annapolis graduates, Governors of rebel States, deserters and persons worth over $20,000, and all who had taken the oath of the former proclamation and had broken it.

On September 7, 1867, President Johnson issued the third proclamation of amnesty. The oath prescribed was not different from the two preceding, but the exceptions to the application of the amnesty were fewer. In this proclamation nobody was excepted except the Confederate President and Vice-President, heads of departments, army and navy officers of high rank, foreign agents, Governors of States and parties to the assassination of President Lincoln. It was more conciliatory than preceding proclamations.

A similar proclamation was issued on July 4, 1868, offering full amnesty to all except those under indictment in a United States Court. The last proclamation growing out of the reconstruction period was that of December 25, 1868, offering pardon to all without the formality of an oath. See AMNESTY.

Amnesty, an act of pardon by an absolute monarch, or by legislative enactment in a republic or limited monarchy, by which the Government absolves a whole class of offenders from punishment (or from further punishment) for wrong doing. The act is made known by royal proclamation or by the passage of a law by the legislative branch of Government. See AMNESTY, PROCLAMATION OF.

Annapolis Convention, a meeting held at Annapolis, Maryland, in September, 1786; it was important as leading to the call for the Constitutional Convention which met at Philadelphia in 1787. Its inception was due to a meeting of delegates of Virginia and Maryland in 1785, to discuss the respective rights of those two States in the Potomac River and Chesapeake Bay. A Virginia delegate, James Madison, suggested a future conference in which all the States should participate, for the consideration of a uniform system of commerce for the whole country. The various States accepted the suggestion, with the result that a convention with the above object met at Annapolis, as stated. The attendance was not encouraging, not enough representatives being present to warrant decisive action on any point. Alexander Hamilton proposed a resolution that a new convention of delegates meet as soon as expedient "to make the Constitution of the Federal Government adequate to the exigencies of the Union." This convention, the most momentous in the history of the United States, met in Philadelphia the next year. See CONSTITUTIONAL CONVENTION.

Annexation is the process by which a sovereign State extends its jurisdiction over territory not previously belonging to it. Annexation is usually the result of an act of aggression; it may, however, be sought by the weaker power and accomplished through diplomacy. The annexation of territory always leaves the laws and customs formerly existing in full

force, unless there is legislation or proclamation to the contrary. The best results in government of annexed territory are secured by causing as little change in laws and customs as possible.

Annexations. The territory of the United States has been extended at various times by annexing lands acquired from foreign countries. The purchase of Louisiana in 1803 and the acquisition of Alaska in 1867 are illustrations of transfer of sovereign power by friendly negotiations. In 1898 the acquisition of Porto Rico and the Philippine Islands illustrate the method by which territory is usually acquired. Our acquisition of these possessions grew out of our success at arms in the Spanish-American War. The annexation of California was forced from Mexico at the conclusion of the Mexican War, in 1848.

Anti=Federalists. The word Federalist was applied in the days prior to the adoption of the Constitution to those persons who were in favor of the ratification of that instrument; all who opposed such action were termed Anti-Federalists. The objections which were zealously proclaimed may be summarized as follows: [1] It was claimed that with dual governments, State within National, there would be strife and endless contest over proper division of authority; [2] as a result of such discord, one authority would speedily abandon its pretentions, the Federal Government either usurping the sovereign power of the States, or the central Government would fail and the States again know no higher authority than themselves, thus virtually dissolving the Union; [3] the Constitution contained no Bill of Rights or other safeguards of liberty.

The Anti-Federalist party was recruited largely from that class of citizens who feared to experiment in the field of enlarged political relations, and who were suspicious that higher rates of taxation would be imposed, due to complicated schemes of government. The party did not defeat the Constitution, but succeeded in convincing the country that additional safeguards were essential; these were at once provided in the first ten Amendments. Within a few years changed National issues caused a new alignment of political parties. See Bill of

Rights; Sovereign Power; Political Parties in the United States.

Anti=Masonic Party. An instance of ill-advised intrusion of local issues into the domain of National political life may be cited in the Anti-Masonic party. In 1826, a man named William Morgan declared his intention of publishing a book revealing all the secrets of Masonry, of which order he had been once a member. On a petty charge, justly or unjustly, he had suffered brief imprisonment. On the night of his release, he was hurriedly taken to Niagara in a closed carriage by unknown captors and was never again seen or heard from. The mystery of his disappearance and the alleged motive therefor created the greatest possible sensation and raised in the minds of many people strong prejudice against the Masonic fraternity, which was openly charged with criminal knowledge of Morgan's fate. Their prejudice extended into politics, thousands of citizens refusing to vote for Masons for any public office. This feeling led the Republican party of the State of New York to offer to voters a State ticket upon which the name of no Mason appeared. An Anti-Masonic ticket was named in opposition, however, and while the new party drew but few votes in that canvass, it increased thereafter in strength rapidly. In 1831 the Anti-Masons nominated a National ticket which secured the electoral vote of Vermont, and in 1835 its nominee for Governor in Pennsylvania was elected. Soon thereafter its strength waned and its most devoted partisans turned to the Whig party, in which organization they formed for some years a strong factor. See Political Parties in the United States.

Anti=Monopoly Party. The name of this organization fittingly expressed its platform of principles. Its period of greatest activity was in 1884, in which year it held a National convention in Chicago and named Benjamin F. Butler, of Massachusetts, for President of the United States. The platform adopted demanded a government administered with economy, the enactment and enforcement of laws which would equitably distribute burdens said to be borne largely by the poorer classes, an income tax, payment of the National debt

as it matured, and the election of United States Senators by direct vote of the people. The ticket polled 130,000 votes. One law demanded by the Anti-Monopolists has since been passed by Congress—the Interstate Commerce Law [q. v.]. See POLITICAL PARTIES IN THE UNITED STATES.

Anti=Renters, THE. The patroon system of government once in vogue in Holland and introduced into America by Dutch settlers was responsible in the first third of the nineteenth century for an organization known as Anti-Renters, who from about 1840 to 1848 held the balance of political power in the State of New York. Large sections of eastern New York were originally parts of extensive estates belonging to the original settlers in that part of the country, the old Dutch patroons. These estates had from the first been subdivided and rented out to tenants, who held perpetual lease and paid for said tenancy in produce. After several generations, the tenants became dissatisfied with this arrangement and felt that they rightfully owned the land which had been for so long the homes of their forebears. The descendant of one of the old patroons named Van Rensselear attempted in 1839 to collect certain rents which had been long in arrears, and met with armed opposition. Renters disguised as Indians terrorized the region; attempts by the sheriff to force collections were invariably defeated; the militia was summoned but was largely outnumbered. So strong were the Anti-Renters that for a number of years they dictated political affairs, defeating with ease any party which did not bend to their will. The trouble subsided only with the sale of the farms to the tenants on satisfactory terms. See PATROON GOVERNMENT.

Anti=War Democrats. A certain section of the Democratic party, of numerical strength sufficient to threaten the solidarity of the organization, have at two different crises in National affairs earned this title. During the War of 1812, a minority of the early Democratic party joined temporarily with the Federalists [q. v.] in opposing the conflict. Again, during the Civil War, the anti-war spirit was manifest in many ways, leading in 1864 to a resolution in the National Democratic

convention, declaring it to be "the sense of the American people that after four years of failure to restore the Union by experiment of war, immediate efforts be made for a cessation of hostilities, with a view to an ultimate convention of the States to the end that peace may be restored on the basis of the Federal union of all the States." Only a minority of the party accepted this view. See POLITICAL PARTIES IN THE UNITED STATES.

Appeal. An appeal in law is the means by which a case is carried from a lower court to a higher tribunal for review or for a new trial. Any cause so heard is said to be heard on appeal. In any criminal prosecution, the accused is not only guaranteed a speedy and impartial trial, but, if convicted, may, under certain conditions, demand that the case be reviewed by a higher court. The prosecution, however, may not appeal when it loses its case, for the Constitution safeguards the rights of citizens by a clause in Amendment V, which declares that no person shall "be subject for the same offense to be twice put in jeopardy of life or limb." In civil cases the right of appeal by either party is limited only by the statutes governing the appellate jurisdiction [q. v.] of the courts, if the contending parties have funds sufficient to defray the expenses incident thereto. Appeals are usually asked for on the ground that the verdict of the jury was not in accord with the evidence submitted, that the judge's charge to the jury was prejudicial in view of the evidence, or on exceptions to rulings of the court as to admission of testimony.

Appellate Court. Any court, State or Federal, having jurisdiction over cases appealed from lower courts is called an Appellate Court. The powers of all courts are expressly stated in the legislative acts creating them. There are appellate courts whose only duty is to try appealed cases; such a tribunal is frequently called a Court of Appeals. Others are organized with broader scope and may combine original jurisdiction with appellate jurisdiction. A County Court or Circuit Court often has appellate jurisdiction, having the power to try cases on appeal from Justice courts; in some States the Superior

Court is established to receive appeals from Circuit courts, and thus lessen the burden which would otherwise fall upon the Supreme Court of the State, whose time is largely devoted to cases appealed from County courts. See APPELLATE JURISDICTION; ORIGINAL JURISDICTION.

Appellate Jurisdiction. A court which has power under the law to try cases which have been appealed from lower courts is said to have appellate jurisdiction. The organization of State and Federal judicial systems provides that cases of different natures shall be disposed of by courts of varying degree of dignity and power. Cases involving slight damages are tried first before inferior tribunals, but, in civil cases, either litigant is given the right of appeal to a higher court if not satisfied with the verdict rendered. In criminal cases the accused may appeal, but the prosecution (which is the people's side of the case) may not. Any court competent to hear appealed cases is, then, an appellate court. Nearly every State limits the privilege of appeal in civil cases on the basis of the money involved in the litigation; several States, for instance, decree that where the value in controversy does not exceed four hundred dollars the case cannot be carried to the State Supreme Court. In such event, both sides must be content with the judgment rendered in the next lower court. See ORIGINAL JURISDICTION; APPELLATE COURT; CIVIL CASE.

Appointment to Office. The President of the United States is clothed with vast powers of appointment of officers in the civil lists, but the Constitutional provision that the Senate shall confirm his choice of any man is an effective check upon rash or ill-advised selections. It is true that if a vacancy occurs during a recess of the Senate a Presidential appointment to the place is legal without confirmation, but the person so chosen may serve only until the end of the next session of the Senate; during said next session the appointment must be renewed or another appointment made, subject to approval in the usual manner. It may occur that the Executive may wish to name a man to a certain vacancy but he is assured that the Senate, then in session, will refuse to confirm. It will

not be possible in such case to withhold his action until the adjournment of the Senate and then make a temporary recess appointment; no salary can be paid to any appointive officer, if the vacancy he fills occurred while the Senate was in session, until confirmation takes place, and if Senate approval is refused he cannot receive any compensation whatever.

Some of the Presidents have felt a personal responsibility for the quality of the men who have received office at their hands; this policy adds an immense load to an already overburdened Executive, because a great deal of time is required to investigate records and make decisions. Other Presidents have been content to accept the advice of heads of departments and members of Congress, and give personal attention only to the most important posts to be filled. For other phases of this question, see CIVIL SERVICE; CIVIL SERVICE REFORM; TERM OF OFFICE.

Apportionment, a pro rata assignment or distribution of Representatives which the various States are entitled to send to Congress. This assignment is always made by Congress, within three years after each Federal census. [See CONSTITUTION OF THE UNITED STATES; Art. I, Sec. 2, Clause 3.] The word also refers to the distribution of direct taxes, whether National, State, county, township or municipal.

An apportionment of members of Congress might be based wholly upon geographical divisions, as "two from each State," or a dozen from a State; or upon numbers, as "one for every thirty thousand." The former method was decided upon in determining the number of United States Senators; the latter plan, in fixing the number of members which should comprise the first House of Representatives.

The framers of the Constitution made the first apportionment of members in the House of Representatives on the best information which could be obtained. There had as yet been no careful census, but steps were taken at once to provide one. [See CONSTITUTION OF THE UNITED STATES, Art. I, Sec. 2, Clause 3.] In the meantime, until the First Census was completed, it was declared "The number of Representatives shall

not exceed one for every thirty thousand, but each State shall have at least one Representative."

The First Census was taken in 1790, and in 1792 the first apportionment by Congress was made. It was decided that the ratio should be one Representative for every 33,000 people, with the result that for the ensuing ten years the House contained 105 members. The next apportionment was in 1802, following the census of 1800; the ratio of the previous ten years was retained, and the increase in population added 36 members, making a a total of 141. The various censuses from 1800 to the present time, with total population of the country, ratio of representation and number of House members, appears in the table below:

Period	Number of Members	Ratio Population	Period	Number of Members	Ratio of Population
1789–1793	65	.....	1853–1863	234	93,423
1793–1803	105	33,000	1863–1873	241	127,381
1803–1813	141	33,000	1873–1883	292	131,425
1813–1823	181	35,000	1883–1893	325	151,911
1823–1833	212	40,000	1893–1903	356	173,901
1833–1843	240	47,700	1903–1913	386	194,182
1843–1853	223	70,680	1913–1923	...	.....

The exact manner of determining the size of the House and the basis of House representation was for years a troublesome question. Not until 1850 was the method of procedure satisfactorily determined. In that year a law called the Vinton Bill (taking its name from its author, an Ohio Congressman) was passed, providing for a House for the ensuing ten years of 233 members. By the further provisions of the bill, the population of the country was to be divided by 233, the resulting quotient being the ratio of representation, or the number of constituents each member should represent. Then, using the population of any given State as the dividend, the ratio as the divisor, the new quotient gave the number of Representatives which the State was privileged to elect. So fair was the result of the operation of this law that its provisions have been followed every ten years since its enactment. After the number of Representatives for any ten-year period has been announced,

the only circumstance that can effect a change in the membership is the admission of a new State. In such event, its Representatives would increase this total. Each State's Representatives are chosen from Congressional districts within the State, organized according to State legislative enactment. [See REPRESENTATIVE.]

The following table shows the ratio of representation and the members of the House allotted to each State since the foundation of the Government:

State.	Constitution, Ratio 30,000.	1800 Census, Ratio 33,000.	1810 Census, Ratio, 33,000.	1820 Census, Ratio 35,000.	1830 Census, Ratio 40,000.	Fifth Census, Ratio 47,700.	1840 Census, Ratio 70,680	1850 Census, Ratio 93,423.	1860 Census, Ratio 127,381.	1870 Census, Ratio 131,425.	1880 Census, Ratio 151,911.	1890 Census, Ratio 173,901.	1900 Census, Ratio 199,102.
Alabama	..	..	..	..	3	5	7	7	6	8	**8**	**9**	**9**
Arkansas	..	..	..	..	..	..	1	2	3	4	**5**	6	**7**
California	..	..	..	..	..	..	..	2	3	4	**6**	**7**	**8**
Colorado	..	..	..	..	..	..	..	..	..	1	1	2	3
Connecticut	5	7	7	7	6	6	4	4	4	4	4	4	5
Delaware	1	1	1	2	1	1	1	1	1	1	1	1	1
Florida	..	..	..	..	..	..	..	1	1	2	2	2	3
Georgia	3	2	4	6	7	9	8	8	7	9	10	11	11
Idaho	..	..	..	..	..	..	..	..	..	..	1	1	1
Illinois	..	..	..	..	1	3	7	9	14	19	20	22	25
Indiana	..	..	..	..	3	7	10	11	11	13	13	13	13
Iowa	..	..	..	..	..	..	..	2	6	9	11	11	11
Kansas	..	..	..	..	..	..	..	..	1	3	7	8	8
Kentucky	..	2	6	10	12	13	10	10	9	10	11	11	11
Louisiana	..	..	..	..	3	3	4	4	5	6	6	6	7
Maine	..	..	..	..	7	8	7	6	5	5	4	4	4
Maryland	6	8	9	9	9	8	6	6	5	6	6	6	6
Massachusetts	8	14	17	20	13	12	10	11	10	11	12	13	14
Michigan	..	..	..	..	..	..	3	4	6	9	11	12	12
Minnesota	..	..	..	..	..	..	..	2	2	3	5	7	9
Mississippi	..	..	..	..	1	2	4	5	5	6	7	7	8
Missouri	..	..	..	..	1	2	5	7	9	13	14	15	16
Montana	..	..	..	..	..	..	..	..	..	..	1	1	1
Nebraska	..	..	..	..	..	..	..	..	1	1	3	6	6
Nevada	..	..	..	..	..	..	..	..	1	1	1	1	1
N. Hampshire	3	4	5	6	6	5	4	3	3	3	2	2	2
New Jersey	4	5	6	6	6	6	5	5	5	7	7	8	10
New York	6	10	17	27	34	40	34	33	31	33	34	34	37
No. Carolina	5	10	12	13	13	13	9	8	7	8	9	9	10
No. Dakota	..	..	..	..	..	..	..	..	..	..	1	1	2
Ohio	..	..	..	6	14	19	21	21	19	20	21	21	21
Oregon	..	..	..	..	..	..	..	1	1	1	1	2	2
Pennsylvania	8	13	18	23	26	28	24	25	24	27	28	30	32
Rhode Island	1	2	2	2	2	2	2	2	2	2	2	2	2
So. Carolina	5	6	8	9	9	9	7	6	4	5	7	7	7
So. Dakota	..	..	..	..	..	..	..	..	..	..	2	2	2
Tennessee	..	..	3	6	9	13	11	10	8	10	10	10	10
Texas	..	..	..	..	..	..	..	2	4	6	11	13	16
Utah	..	..	..	..	..	..	..	..	..	..	..	1	1
Vermont	..	2	4	6	5	5	4	3	3	3	2	2	2
Virginia	10	19	22	23	22	21	15	13	11	9	10	10	10
Washington	..	..	..	..	..	..	..	..	..	..	1	2	3
W. Virginia	..	..	..	..	..	..	..	..	..	3	4	4	5
Wisconsin	..	..	..	..	..	..	..	3	6	8	9	10	11
Wyoming	..	..	..	..	..	..	..	..	..	..	1	1	1
Totals	65	105	141	181	213	240	223	237	243	293	332	357	386

Oklahoma adds five to total in last column.

The number of Senators of the United States never varies except by admission of new States or by the failure of a State temporarily to elect. The latter occasionally occurs, but no interests usually suffer save those of the State whose Senatorial representation is involved. See SENATOR.

Appraiser, an officer attached to each customhouse, whose duty consists in fixing values upon imports. It is upon the values thus placed that duties are levied.

Appropriations. The various allotments of money voted by Congress every two years to provide running expenses of the Government are included in a bill called the Appropriation Bill. No branch of the Government service may expend more during any two fiscal years than the sum set aside in the appropriations for that period. The various departments make representations to Congress naming the sums estimated to be needed by them, but with Congress rests the responsibility of weighing all claims judicially and fixing the amounts which can be allowed. Even with the exercise of strict economy, the biennial appropriations now exceed one billion dollars. Each Congress passes one general Appropriation Bill during its two years' existence, and may pass other bills of the same nature under the general heading of emergency bills. The following is a list of the different objects for which appropriations are made:

Deficiencies.	Indians	Pensions.
Legislative, Executive and Judicial.	Rivers and harbors.	Consular and Diplomatic.
Sundry civil.	Forts and fortifications.	Agricultural Department.
Army.	Military Academy.	District of Columbia.
Navy.	Post-office Department.	
	Miscellaneous.	

Arbitration. The hearing and determining of a disputed question by disinterested persons previously selected is called a settlement by arbitration; in government, the adjustment of a controversy between two nations by a person or persons mutually agreed upon, who are citizens or subjects of a third power. Oftentimes the ruler of a third power consents to act as arbitrator. From the decision of the arbitrator or the arbitration board there is no appeal. When very grave differ-

ences arise between nations, affecting their political welfare, the difficulty is usually adjusted by treaty.

There are at present no statutes, either State or Federal, compelling arbitration of differences in the industrial world, but the sentiment of the whole country is such that compulsory arbitration laws will soon be in force in many commonwealths. See INTERNATIONAL ARBITRATION; HAGUE TRIBUNAL.

Arbitration, INTERNATIONAL. See INTERNATIONAL ARBITRATION.

Arbitration, INTERNATIONAL COURT OF. See HAGUE TRIBUNAL.

Arbor Day, a day set apart by the statutes of many States for the planting of trees for the preservation of forest areas. The first official suggestion relative to tree planting under State authority was made in Connecticut in 1865, by the State Board of Education. Nebraska has the honor of first naming a day to be especially devoted to the task. In 1872 the Governor of that State in a proclamation appointed a day for the planting of young trees throughout the commonwealth, and urged the public schools to take the lead in the matter. The idea became instantly popular, and in 1875 the Legislature made Arbor Day a legal holiday. Nebraska's example was followed soon by Kansas; Minnesota first observed the day in 1876; Michigan passed an Arbor Day law in 1881, and Ohio in 1882. These pioneer States in the movement have set an example which has been followed by more than twenty others. It is said that over a million and a half trees have been planted in Minnesota since Arbor Day was established there, and that over 7,000,000 are in a thriving condition on the prairies of Nebraska, due entirely to the enthusiasm with which the day is celebrated.

Aristocracy is that form of government in which control is held in the hands of a few nobles, self-appointed. In case the King of England should be banished from his realm by princes, dukes and earls, acting in harmony, and these conspirators should assume the reins of authority, the Government thus established would be an aristocracy. If the conspirators

were not of royal birth or princely rank, but simply strong subjects of the former monarch, the Government established by their act would be called an oligarchy.

Arizona. The Territory of Arizona originally formed a part of Mexico. It was ceded to the United States with New Mexico on February 2,1848,with the exception of that part south of the Gila River, which did not become United States territory until the Gadsden Purchase, in 1854. Arizona and New Mexico were governed jointly until February 24, 1863, when they were separated, and each received a Territorial form of Government. Agitation for Statehood has been strong in Arizona since about 1895, but its citizens have thus far been unable to overcome the objections of Congress, which may be partly due to political reasons, but more to the large foreign element among the population.

Government. The chief Executive officer is the Governor, who is appointed by the President of the United States for a term of four years, with the approval of the Senate. Judges of the Supreme Court are also appointed by the President. The people of the Territory choose their own Legislature, and may pass laws for their government, but every act so passed is subject to the scrutiny of Congress. As in common to all Territories, Arizona elects one Delegate to Congress; he may take part in all debates affecting his Territory, but he has no vote.

Arkansas. Until the Louisiana Purchase in 1803, Arkansas was a part of the vast French possessions in this country. From 1805 to 1812 it formed a part of Louisiana Territory, and from 1812 to 1819 it was joined to Missouri Territory. In the latter year, it was given a Territorial form of government, and in 1836 was admitted to Statehood. At the outbreak of the Civil War, the attitude of Arkansas was in doubt, but within a few months the State joined its fortunes with the Confederacy. It was readmitted to the Union in 1868.

Government. Arkansas is now governed under its second State Constitution, which dates from 1874. The officers of the State are the Governor, Secretary of State, State Treasurer, State Auditor, Attorney-General, and Superintendent of Public

Instruction, who are chosen for two years and are eligible to re-election. The Legislature consists of 35 Senators and 100 Representatives; the Senators are chosen for four years and the Representatives for two years; one-half of the Senators are chosen every second year. Sessions of the Legislature are held biennially and are limited in time to 60 days, except that a two-thirds' vote of each House may extend its sessions longer. The judiciary consists of the Supreme Court and of Circuit, County, Probate and Justice courts. The Supreme Court is composed of the Chief Justice and four Associate Justices, elected for terms of eight years. No person can vote in Arkansas who does not pay an annual poll tax; the usual requirements as to length of residence in State, county, and township prevail.

STATE SEAL OF ARKANSAS.

Armory. An armory is a building for the use of a body of militia [q. v.], including general storage for arms and equipments, also drill-rooms, etc. Some armories are equipped with many of the appointments of a clubhouse.

Army, an organization of troops formed into companies, regiments, brigades and divisions, placed under the orders of one commander, with general and subordinate staffs and administrative departments, provided with all necessary war material and designed to act against an enemy, at home or abroad. Armies have existed since before the dawn of civilization, and in scientific development as fighting machines have kept pace with the progress of the liberal arts. Every nation in the world maintains a standing army; many of the Governments of Europe today are very heavily burdened by the expenditures necessary to maintain the military arm. The following data give accurate information relative to the land forces of the principal countries of the world; the figures change but little in times of peace. For purposes of comparisons, the naval strength is also given. The latest figures obtainable are printed:

Country.	Army. Peace footing	Army. War footing.	Navy. Ships§	Navy. Men.	Total of armed forces.	Annual cost of army and navy.
Abyssinia	150,000	.....	.....	.....	150,000	.....
Afghanistan	60,000	.....	.....	.....	60,000	.....
Argentina	120,000	500,000	27	5,000	125,000	$32,900,000
Australian Commonw'lth	69,414	.....	11	1,185	70,599	5,000,000
Austria-Hungary	387,452	2,234,000	100	11,993	399,445	65,989,335
Belgium	49,769	180,000	.....	.....	49,769	12,812,422
Bolivia	243,158	.....	.....	.....	82,560	1,000,000
Brazil	28,000	.....	44	8,800	36,800	47,000,000
Candad*	55,765	.....	.....	.....	55,765	5,496,090
Chile	5,657	.....	28	.....	5,657	11,904,848
China	200,000	.....	56	.....	200,000	17,000,000
Columbia	5,000	.....	11	.....	5,000	1,775,582
Costa Rica	6,000	150,000	2	.....	6,000	.....
Cuba	3,720	.....	.....	.....	3,720	.....
Denmark	9,769	67,448	26	.....	9,769	4,879,555
Ecuador	4,379	95,000	2	130	4,509	1,365,000
Egypt	15,916	.....	.....	.....	15,916	2,836,795
France	605,102	1,290,000	582	25,500	630,602	260,943,206
Germany	589,676	3,000,000	178	33,500	623,176	244,243,000
Great Britain	272,133	753,077	614	129,000	401,133	308,325,000
Greece	29,000	50,000	29	4,000	33,000	5,640,386
Guatemala	7,000	86,900	.....	.....	7,000	1,077,000
Haiti	7,478	.....	6	.....	7,478	.....
Honduras	25,000	.....	.....	.....	25,000	232,262
Italy	264,516	2,222,637	144	26,799	291,315	80,098,429
Japan	220,000	800,000	193	36,080	256,080	39,687,228
Kongo State	15,736	.....	.....	.....	15,736	.....
Mexico	26,595	79,600	15	1,163	27,758	17,652,760
Morocco	12,400	40,000	1	.....	12,400	.....
Nepal	30,000	.....	.....	.....	39,681	.....
Netherlands	41,055	68,000	86	10,760	51,815	17,429,194
Nicaragua	2,000	40,000	.....	.....	2,000	650,000
Norway†	30,900	95,000	50	1,550	32,450	6,599,750
Panama	300	.....	2	50	350	.....
Paraguay	1,161	.....	3	.....	1,161	650,000
Persia	130,000	105,500	3	.....	130,000	1,260,000
Peru	4,000	.....	5	.....	4,000	2,457,300
Portugal	111,137	287,964	69	.....	111,137	11,126,060
Roumania	66,120	170,000	25	.....	66,120	12,192,000
Russia	1,200,000	4,600,000	197	60,000	1,260,000	242,219,621
Salvador	3,000	21,000	1	.....	3,000	1,202,835
Santo Domingo	1,300	.....	3	.....	6,000	.....
Servia	160,507	300,000	1	.....	160,000	4,662,336
Siam	21,000	10,000	22	5,000	26,000	.....
Spain	83,000	220,000	34	.....	83,000	39,118,233
Sweden	62,536	340,831	73	.....	62,536	14,476,873
Switzerland	235,957	.....	.....	.....	235,957	7,912,431
Turkey	375,000	987,900	33	32,355	375,000	22,000,000
United States‡	68,272	.....	167	46,963	100,627	‖ 200,049,678
Uruguay	5,800	40,000	3	184	5,984	2,231,182
Venezuela	9,600	60,000	6	.....	9,600	2,210,913

*Active militia. †Troops of the line. ‡In 1906. Authorized standing army 100,000. §Warships of all kinds except these absolutely worthless, including torpedo boats, submarines, guard boats, etc. ‖Appropriations of 1907.

See Army of the United States.

Army, Enlistment in the. See Enlistment in Army and Navy.

Army, Officers of the. See Officers of the Army.

Army and Navy, Comparative Rank. See Comparative Rank in Army and Navy.

Army of the United States. Upon Congress is placed the responsibility of providing and equipping the military power of the country. The force thus authorized and maintained is called the regular army, or standing army, and is not to be confused with volunteer armies which have been raised to defend the Union in various crises. In times of peace a small army only is required, to guard frontiers and to garrison posts or stations established at various points to protect the country from sudden insurrection. The President of the United States is commander-in-chief of the military and naval forces; in the proper discharge of his duties in this connection his powers are limited only by the laws enacted by Congress; the routine of the War Department is entirely in his hands.

The army is divided into fourteen Departments; the headquarters of each division is centrally located and seldom changed. The ranking officer assigned to each Department usually serves two or three years in one place and then is transferred to another. The names and boundaries of the Departments are as follows:

Department of the East—New England States, New York, New Jersey, Pennsylvania, Delaware, Maryland, District of Columbia, West Virginia, Virginia, the island of Porto Rico and the islands and keys adjacent thereto; headquarters, Governor's Island, New York

Department of the Gulf—Embraces the states of North and South Carolina, Tennessee, Georgia, Florida, Alabama, Louisiana and Mississippi; headquarters at Atlanta, Ga.

Department of the Lakes—States of Wisconsin, Michigan, Illinois, Indiana, Ohio and Kentucky; headquarters, Chicago, Ill.

Department of the Missouri—States of Iowa, Nebraska, Missouri, Kansas, South Dakota and Wyoming (except Yellowstone National Park); headquarters, Omaha, Neb.

Department of Dakota—States of Minnesota, North Dakota, Montana and so much of Wyoming and Idaho as is embraced in the Yellowstone National Park; headquarters, St. Paul, Minn.

Department of Texas—Embraces States of Texas, Arkansas and Oklahoma; headquarters, San Antonio, Tex.

Department of the Colorado—States of Colorado and Utah and the Territories of Arizona and New Mexico; headquarters, Denver, Colo.

Department of California—States of California and Nevada, the Hawaiian Islands and their dependencies; headquarters, San Francisco, Cal.

Department of the Columbia—States of Washington, Oregon, Idaho (except so much of the latter as is embraced in the Yellowstone National Park) and the Territory of Alaska; headquarters, Vancouver barracks, Washington.

Division of the Philippines—Consisting of the departments of Luzon, Visayas and Mindanao.

Department of Luzon—Includes all that portion of the Philippine archipelago lying north of a line passing southeastwardly through the west pass of Apo, or Mindoro strait, to the 12th parallel of north latitude, thence east along said parallel to the 124th degree 10 minutes east of Greenwich, but including the entire island of Masbate, thence north to San Bernardino straits; headquarters, Manila, P. I.

Department of the Visayas—Includes all islands south of the southern line of the Department of Luzon east of longitude 121 degrees 45 minutes east of Greenwich and north of the 9th parallel of latitude, excepting the islands of Mindanao and Paragua and all islands east of the straits of Surigao; headquarters, Iloilo, P. I.

Department of Mindanao—Includes all the remaining islands of the Philippine archipelago; headquarters, Zamboanga, P. I.

The commissioned officers of the army, in order of rank, are General, Lieutenant-General, Major-General, Brigadier-General, Colonel, Lieutenant-Colonel, Major, Captain, First Lieutenant, Second Lieutenant, Chaplain. The uncommissioned officers are Sergeants and Corporals. [See these names in alphabetical order, for further particulars. See, also, Comparative Rank in Army and Navy.] The authorized strength of the army, in officers and men, is given on page 49.

The various branches of the army submit to the Secretary of War their estimates of the amount of money required to maintain the service, and the Secretary submits these statements to the President. The Executive forwards to Congress his report on the subject, and this may include his special recommendation on any or all items. The Army Appropriation Bill is framed with these various reports as a basis. Whatever appropriation is made is expended under the general direction of the Secretary of War, and the accounts are audited by the Auditor of the War Department. No sum can be expended on any item not specified in the current Appropriation Bill, nor is it lawful during any two-year period to exceed in expenditures the amount appropriated.

	Lieutenant-General.	Major-Generals.	Brigadier-Generals.	Colonels.	Lieutenant-Colonels	Majors.	Captains.	Assistant Surgeons.	First Lieutenants.	Second Lieutenants	Chaplains.	Total commissioned Officers.	Enlisted men.
General officers	1	6	15	....	....	....	.....	....	.....	....	....	22	.....
Adjutant-General's department	....	1	1	5	7	10	.....	....	.....	....	....	24	.....
Inspector-General's department	....	....	1	3	4	9	.....	....	.....	....	....	17	.....
Judge-Advocate General's department	....	....	1	2	3	6	.....	....	.....	....	....	12	.....
Quartermaster's department	....	....	1	6	9	20	60	....	.....	....	....	96	200
Subsistence department	....	....	1	3	4	9	27	....	.....	....	....	44	200
Medical department	....	....	1	9	12	60	.....	*240	.....	....	....	322	†
Pay department	....	....	1	3	4	20	25	....	.....	....	....	53	.....
Corps of engineers	....	....	1	10	16	32	43	....	43	43	1	189	2,002
Ordnance department	....	....	1	6	9	19	25	....	25	....	....	85	700
Signal corps	....	....	1	1	2	6	18	....	18	....	....	46	1,212
Bureau of insular affairs	....	....	1	....	....	1	.....	....	.....	....	....	2	.....
Fifteen regiments of cavalry	....	....	....	15	15	45	225	....	225	225	15	765	13,196
Chief of artillery	....	....	1	....	....	....	.....	....	.....	....	....	1	.....
Six regiments of field artillery	....	....	....	6	6	12	66	....	78	31	6	205	5,245
Coast artillery corps	....	....	....	14	14	42	210	....	210	79	14	583	19,321
Thirty regiments of infantry	....	....	....	30	30	90	450	....	450	450	30	1,530	25,650
Military academy	....	....	....	....	....	....	.....	....	.....	....	....	.....	440
Miscellaneous	....	....	....	....	....	....	.....	....	.....	....	....	.....	1,620
Indian scouts	....	....	....	....	....	....	.....	....	.....	....	....	.....	75
Total regular army	1	7	27	113	135	381	1,149	240	1,049	828	66	3,996	69,861
Additional force:													
Porto Rico provisional regiment	....	....	....	....	....	....	11	....	10	10	....	31	574
Philippine scouts	....	....	....	....	....	....	.....	....	58	58	....	116	5,208
Grand total	1	7	27	115	135	381	1,160	240	1,117	896	66	4,143	75,436

*Assistant surgeons have the rank of first lieutenant for the first five years of service and the rank of captain after five years of service. †Enlisted men of the medical department (hospital corps) are not included in the strength of the army. The authorized strength of same is about 3,500.

Salaries. At present there is no officer of the grade of General of the Army. Philip Sheridan, the last officer to bear the honor, received a salary of $13,500 per year. Below the highest rank the salaries are as follows:

Lieutenant-General	$11,000	Battalion and Squadron Adjutants	$1,800
Major-General	7,500	Regimental Commissary	1,800
Brigadier-General	5,500	Battalion and Squadron Quartermasters and Commissaries	1,600
Colonel	3,500	First Lieut., mounted	1,600
Lieutenant-Colonel	3,000	First Lieut., not mounted	1,500
Major	2,500	Second Lieut., mounted	1,500
Captain, mounted	2,000	Second Lieut., not mounted	1,400
Captain, not mounted	1,800	Chaplain	1,800
Regimental Adjutant	2,000		
Regimental Quartermaster	2,000		

Each commissioned officer below the rank of Brigadier-General receives an increase of ten per cent in pay every five years until an increase of forty per cent is reached; the above figures are minimum. Officers retire from active service at the age of sixty-four, and upon retirement receive seventy-five per cent of the salary of which they were in receipt when the age limit was reached.

The pay of private soldiers is thirteen dollars per month, at time of enlistment; to this, one dollar per month is added for the third year, one dollar more per month for the fourth year, one more per month during the fifth year, two more each month during the sixth, and if he continues longer in the service one more dollar per month is added for every five years' service.

Army War College, a department of the United States military establishment, authorized by Congress in 1900, with headquarters at Washington. Its object is to systematize the various departments of instruction at the several institutions where military and naval instruction is given, to develop these systems and to give opportunity for advanced professional study of military problems. The officers and faculty of the College study the military organizations of the United States with regard to a complete understanding of the efficiency of the army; they constitute an advisory board to which the

Secretary of War may turn at any time for advice on any point in the conduct of the military service.

Arsenal, a Government building or reservation where munitions of war are either manufactured or stored. At different times in the history of the United States since 1812 the number of arsenals has varied from fewer than a dozen to twenty-five. Since the Civil War the number has greatly decreased. The permanent arsenals, on which the Government has expended very large sums of money, are at Springfield, Massachusetts; Rock Island, Illinois; Fort Monroe, Virginia; Allegheny, Pennsylvania; Fort Leavenworth, Kansas; San Antonio, Texas. At Springfield all the small arms used by the army are manufactured.

Articles of Confederation. The Articles of Confederation served from 1781 to 1789 as the constitution or fundamental law of the United States. At the outbreak of the Revolutionary War, each new State, hitherto a colony of Great Britain, was an independent sovereignty; the exigencies of the situation showed urgent need of some definite plan of general government to cope with the country's foe. The Colonial Congress was in session; it was composed of delegates from all the States, but there was lack of unity and cohesion, except on the one principle of independence of the mother country. In June, 1776, a committee was appointed "to prepare and digest the form of a confederation to be entered into between these colonies." The committee was headed by John Dickinson of Delaware, and was composed of one delegate from each State. The draft of the Articles was presented to the Congress on July 12, 1776, and debated until August 20th, when it was temporarily laid aside for almost a year. The document was taken up again for reconsideration in April, 1777, debated at various times, and freely amended until finally adopted on November 15, 1777. It was not to be put into effect, however, until the various States had ratified it; such approval was secured on the following dates:

South Carolina	February 5, 1778	Rhode Island	February 9, 1778
New York	February 6, 1778	Connecticut	February 12, 1778

Georgia	February 26, 1778	New Jersey	November 19, 1778
New Hampshire	March 4, 1778	Virginia	December 15, 1778
Pennsylvania	March 5, 1778	Delaware	February 1, 1779
Massachusetts	March 10, 1778	Maryland	January 30, 1781
North Carolina	April 5, 1778		

The formal announcement that all the States had ratified the Articles was made March 1, 1781, and on the next day Congress assembled under the new powers delegated by the document.

The Articles provided for a semi-union of the various States, but in the Confederation the central Government was given little power. It could not levy taxes, but was dependent for revenue for general purposes on the voluntary response of the various States to requisitions of Congress; it could not control foreign commerce; it could not force any individual State to obey any law passed by Congress, and it could not enforce its authority by arresting individual offending officials. In Congress each State was to have one vote, the majority of the members of the State delegation deciding what that vote should be. The States were to have not fewer than two and not more than seven members each in Congress; the term was for three years, and no member was eligible to two successive terms. No power of Congress on any important matter could be exercised until the question had received a prior affirmative vote of at least nine of the thirteen States.

The singleness of purpose of the revolutionists carried them successfully through the war period, even with a constitution so fundamentally defective, but after the close of the war the imperfections of the system became more and more apparent, and finally, after two years' discussion, the Articles were replaced in 1789 by the Federal Constitution. [See ANNAPOLIS CONVENTION; CONSTITUTION OF THE UNITED STATES.]

The full text of the Articles of Confederation appears below:

Articles of Confederation and Perpetual Union between the States of New Hampshire, Massachusetts Bay, Rhode Island and Providence Plantations, Connecticut, New York, New Jersey, Pennsylvania, Delaware, Maryland, Virginia, North Carolina, South Carolina, and Georgia.

ARTICLE I.—The style of this Confederacy shall be, "The United States of America."

ART. II.—Each State retains its sovereignty, freedom, and independence, and every power, jurisdiction, and right, which is not by this Confederation expressly delegated to the United States in Congress assembled.

ART. III.—The said States hereby severally enter into a firm league of friendship with each other, for their common defense, the security of their liberties, and their mutual and general welfare, binding themselves to assist each other against all force offered to, or attacks made upon them, or any of them, on account of religion, sovereignty, trade, or any other pretense whatever.

ART. IV.—The better to secure and perpetuate mutual friendship and intercourse among the people of the different States in this Union, the free inhabitants of each of these States, paupers, vagabonds, and fugitives from justice excepted, shall be entitled to all privileges and immunities of free citizens in the several States; and the people of each State shall have free ingress and egress to and from any other State, and shall enjoy therein all the privileges of trade and commerce, subject to the same duties, impositions, and restrictions as the inhabitants thereof respectively; provided, that such restrictions shall not extend so far as to prevent the removal of property imported into any State to any other State of which the owner is an inhabitant; provided also, that no imposition, duties, or restrictions shall be laid by any State on the property of the United States or either of them. If any person guilty of, or charged with, treason, felony, or other high misdemeanor in any State shall flee from justice and be found in any of the United States, he shall, upon demand of the governor or executive power of the State from which he fled, be delivered up and removed to the State having jurisdiction of his offense. Full faith and credit shall be given in each of these States to the records, acts, and judicial proceedings of the courts and magistrates of every other State.

ART. V.—For the more convenient management of the general interests of the United States, delegates shall be annually appointed in such manner as the Legislature of each State shall direct, to meet in Congress on the first Monday in November, in every year, with a power reserved to each State to recall its delegates, or any of them, at any time within the year, and to send others in their stead for the remainder of the year. No State shall be represented in Congress by less than two, nor by more than seven members; and no person shall be capable of being a delegate for more than three years in any term of six years; nor shall any person, being a delegate, be capable of holding any office under the United States for which he, or another for his benefit, receives any salary, fees, or emolument of any kind. Each State shall maintain its own delegates in any meeting of the States and while they act as members of the Committee of

the States. In determining questions in the United States in Congress assembled, each State shall have one vote. Freedom of speech and debate in Congress shall not be impeached or questioned in any court or place out of Congress; and the members of Congress shall be protected in their persons from arrests and imprisonment during the time of their going to and from, and attendance on, Congress, except for treason, felony, or breach of the peace.

ART. VI.—No State, without the consent of the United States, in Congress assembled, shall send any embassy to, or receive any embassy from, or enter into any conference, agreement, alliance, or treaty with any king, prince, or state; nor shall any person holding any office of profit or trust under the United States, or any of them, accept of any present, emolument, office, or title of any kind whatever from any king, prince, or foreign state; nor shall the United States, in Congress assembled, or any of them, grant any title of nobility.

No two or more States shall enter into any treaty, confederation, or alliance whatever between them, without the consent of the United States, in Congress assembled, specifying accurately the purposes for which the same is to be entered into, and how long it shall continue.

No State shall lay any imposts or duties which may interfere with any stipulations in treaties entered into by the United States, in Congress assembled, with any king, prince, or state, in pursuance of any treaties already proposed by Congress to the courts of France and Spain.

No vessel of war shall be kept up in time of peace by any State, except such number only as shall be deemed necessary by the United States, in Congress assembled, for the defense of such State or its trade, nor shall any body of forces be kept up by any State in time of peace, except such number only as, in the judgment of the United States, in Congress assembled, shall be deemed requisite to garrison the forts necessary for the defense of such State; but every State shall always keep up a well-regulated and disciplined militia, sufficiently armed and accoutred, and shall provide and constantly have ready for use in public stores a due number of field-pieces and tents, and a proper quantity of arms, ammunition, and camp equipage.

No State shall engage in any war without the consent of the United States, in Congress assembled, unless such State be actually invaded by enemies, or shall have received certain advice of a resolution being formed by some nation of Indians to invade such State, and the danger is so imminent as not to admit of a delay till the United States, in Congress assembled, can be consulted; nor shall any State grant commissions to any ships or vessels of war, nor letters of marque or reprisal, except it be after a declaration of war by the United States, in Congress assembled, and then only against the kingdom or state, and the subjects thereof, against which war has been so declared, and under such regulations as shall be

established by the United States, in Congress assembled, unless such State be infested by pirates, in which case vessels of war may be fitted out for that occasion, and kept so long as the danger shall continue, or until the United States, in Congress assembled, shall determine otherwise.

ART. VII.—When land forces are raised by any State for the common defense, all officers of or under the rank of Colonel shall be appointed by the Legislature of each State respectively by whom such forces shall be raised, or in such manner as such State shall direct, and all vacancies shall be filled up by the State which first made the appointment.

ART. VIII.—All charges of war, and all other expenses that shall be incurred for the common defense, or general welfare, and allowed by the United States, in Congress assembled, shall be defrayed out of a common treasury, which shall be supplied by the several States in proportion to the value of all land within each State, granted to, or surveyed for, any person, as such land and the buildings and improvements thereon shall be estimated, according to such mode as the United States, in Congress assembled, shall, from time to time, direct and appoint. The taxes for paying that proportion shall be laid and levied by the authority and direction of the Legislatures of the several States, within the time agreed upon by the United States, in Congress assembled.

ART. IX.—The United States, in Congress assembled, shall have the sole and exclusive right and power of determining on peace and war, except in the cases mentioned in the sixth Article; of sending and receiving ambassadors; entering into treaties and alliances, provided that no treaty of commerce shall be made, whereby the legislative power of the respective States shall be restrained from imposing such imposts and duties on foreigners as their own people are subjected to, or from prohibiting the exportation or importation of any species of goods or commodities whatever; of establishing rules for deciding, in all cases, what captures on land and water shall be legal, and in what manner prizes taken by land or naval forces in the service of the United States shall be divided or appropriated; of granting letters of marque and reprisal in times of peace; appointing courts for the trial of piracies and felonies committed on the high seas; and establishing courts for receiving and determining finally appeals in all cases of captures; provided that no member of Congress shall be appointed a judge of any of the said courts.

The United States, in Congress assembled, shall also be the last resort on appeal in all disputes and differences now subsisting, or that hereafter may arise between two or more States concerning boundary, jurisdiction, or any other cause whatever; which authority shall always be exercised in the manner following: Whenever the legislative or executive authority, or lawful agent of any State in controversy with another, shall present a petition to Congress, stating the matter in question, and praying for a hearing, notice thereof shall be given by order of Congress

to the legislative or executive authority of the other State in controversy, and a day assigned for the appearance of the parties by their lawful agents, who shall then be directed to appoint, by joint consent, commissioners or judges to constitute a court for hearing and determining the matter in question; but if they cannot agree, Congress shall name three persons out of each of the United States, and from the list of such persons each party shall alternately strike out one, the petitioners beginning, until the number shall be reduced to thirteen; and from that number not less than seven nor more than nine names, as Congress shall direct, shall, in the presence of Congress, be drawn out by lot; and the persons whose names shall be so drawn, or any five of them, shall be commissioners or judges, to hear and finally determine the controversy, so always as a major part of the judges who shall hear the cause shall agree in the determination; and if either party shall neglect to attend at the day appointed, without showing reasons which Congress shall judge sufficient, or being present, shall refuse to strike, the Congress shall proceed to nominate three persons out of each State, and the secretary of Congress shall strike in behalf of such party absent or refusing; and the judgment and sentence of the court, to be appointed in the manner before prescribed, shall be final and conclusive; and if any of the parties shall refuse to submit to the authority of such court, or to appear or defend their claim or cause, the court shall nevertheless proceed to pronounce sentence or judgment, which shall in like manner be final and decisive; the judgment or sentence and other proceedings being in either case transmitted to Congress, and lodged among the acts of Congress for the security of the parties concerned; provided, that every commissioner, before he sits in judgment, shall take an oath, to be administered by one of the judges of the supreme or superior court of the State where the case shall be tried, "well and truly to hear and determine the matter in question, according to the best of his judgment, without favor, affection, or hope of reward." Provided, also, that no State shall be deprived of territory for the benefit of the United States.

All controversies concerning the private right of soil claimed under different grants of two or more States, whose jurisdictions, as they may respect such lands, and the States which passed such grants are adjusted, the said grants or either of them being at the same time claimed to have originated antecedent to such settlement of jurisdiction, shall, on the petition of either party to the Congress of the United States, be finally determined, as near as may be, in the same manner as is before prescribed for deciding disputes respecting territorial jurisdiction between different States.

The United States, in Congress assembled, shall also have the sole and exclusive right and power of regulating the alloy and value of coin struck by their own authority, or by that of the respective States; fixing the standard of weights and measures throughout the United States;

regulating the trade and managing all affairs with the Indians, not members of any of the States; provided that the legislative right of any State, within its own limits, be not infringed or violated; establishing and regulating post-offices from one State to another, throughout all the United States, and exacting such postage on the papers passing through the same as may be requisite to defray the expenses of the said office; appointing all officers of the land forces in the service of the United States, excepting regimental officers; appointing all the officers of the naval forces, and commissioning all officers whatever in the service of the United States; making rules for the government and regulation of the said land and naval forces, and directing their operations.

The United States, in Congress assembled, shall have authority to appoint a committee, to sit in the recess of Congress, to be denominated "A Committee of the States," and to consist of one delegate from each State, and to appoint such other committees and civil officers as may be necessary for managing the general affairs of the United States under their direction; to appoint one of their number to preside; provided that no person be allowed to serve in the office of president more than one year in any term of three years; to ascertain the necessary sums of money to be raised for the service of the United States, and to appropriate and apply the same for defraying the public expenses; to borrow money or emit bills on the credit of the United States, transmitting every half year to the respective States an account of the sums of money so borrowed or emitted; to build and equip a navy; to agree upon the number of land forces, and to make requisitions from each State for its quota, in proportion to the number of white inhabitants in such State, which requisition shall be binding; and thereupon the Legislature of each State shall appoint the regimental officers, raise the men, and clothe, arm, and equip them in a soldier-like manner, at the expense of the United States; and the officers and men so clothed, armed, and equipped shall march to the place appointed, and within the time agreed on by the United States, in Congress assembled; but if the United States, in Congress assembled, shall, on consideration of circumstances, judge proper that any State should not raise men, or should raise a smaller number than its quota, and that any other State should raise a greater number of men than the quota thereof, such extra number shall be raised, officered, clothed, armed, and equipped in the same manner as the quota of such State, unless the Legislature of such State shall judge that such extra number cannot be safely spared out of the same, in which case they shall raise, officer, clothe, arm, and equip as many of such extra number as they judge can be safely spared, and the officers and men so clothed, armed, and equipped shall march to the place appointed, and within the time agreed on by the United States, in Congress assembled.

The United States, in Congress assembled, shall never engage in a war, nor grant letters of marque and reprisal in time of peace, nor enter into any treaties or alliances, nor coin money, nor regulate the value thereof, nor ascertain the sums and expenses necessary for the defense and welfare of the United States, or any of them, nor emit bills, nor borrow money on the credit of the United States, nor appropriate money, nor agree upon the number of vessels of war to be built or purchased, or the number of land or sea forces to be raised, nor appoint a commander-in-chief of the army or navy, unless nine States assent to the same, nor shall a question on any other point, except for adjourning from day to day, be determined, unless by the votes of a majority of the United States, in Congress assembled.

The Congress of the United States shall have power to adjourn to any time within the year, and to any place within the United States, so that no period of adjournment be for a longer duration than the space of six months, and shall publish the journal of their proceedings monthly, except such parts thereof relating to treaties, alliances, or military operations as in their judgment require secrecy; and the yeas and nays of the delegates of each State, on any question, shall be entered on the journal when it is desired by any delegate; and the delegates of a State, or any of them, at his or their request, shall be furnished with a transcript of the said journal except such parts as are above excepted, to lay before the Legislatures of the several States.

ART. X.—The Committee of the States, or any nine of them, shall be authorized to execute, in the recess of Congress, such of the powers of Congress as the United States, in Congress assembled, by the consent of nine States, shall, from time to time, think expedient to vest them with; provided that no power be delegated to the said Committee, for the exercise of which, by the Articles of Confederation, the voice of nine States in the Congress of the United States assembled is requisite.

ART. XI.—Canada, acceding to this Confederation, and joining in the measures of the United States, shall be admitted into, and entitled to all the advantages of this Union; but no other colony shall be admitted into the same, unless such admission be agreed to by nine States.

ART. XII.—All bills of credit emitted, moneys borrowed, and debts contracted by or under the authority of Congress, before the assembling of the United States, in pursuance of the present Confederation, shall be deemed and considered as a charge against the United States, for payment and satisfaction whereof the said United States and the public faith are hereby solemnly pledged.

ART. XIII.—Every State shall abide by the determinations of the United States, in Congress assembled, on all questions which by this Confederation are submitted to them. And the Articles of this Confederation shall be inviolably observed by every State, and the Union shall be

perpetual; nor shall any alteration at any time hereafter be made in any of them, unless such alteration be agreed to in a Congress of the United States, and be afterwards confirmed by the Legislatures of every State.

And whereas it hath pleased the great Governor of the world to incline the hearts of the Legislatures we respectively represent in Congress to approve of, and to authorize us to ratify, the said Articles of Confederation and perpetual Union, know ye, that we, the undersigned delegates, by virtue of the power and authority to us given for that purpose, do, by these presents, in the name and in behalf of our respective constituents, fully and entirely ratify and confirm each and every of the said Articles of Confederation and perpetual Union, and all and singular the matters and things therein contained. And we do further solemnly plight and engage the faith of our respective constituents, that they shall abide by the determinations of the United States, in Congress assembled, on all questions which by the said Confederation are submitted to them; and that the Articles thereof shall be inviolably observed by the States we respectively represent, and that the Union shall be perpetual.

In witness whereof we have hereunto set our hands in Congress.

Done at Philadelphia, in the State of Pennsylvania, the ninth day of July in the year of our Lord one thousand seven hundred and seventy-eight, and in the third year of the independence of America.

On the part and behalf of the State of New Hampshire.

Josiah Bartlett, John Wentworth, Junr.
August 8, 1778.

On the part and behalf of the State of Massachusetts Bay.

John Hancock, Francis Dana,
Samuel Adams, James Lovell,
Elbridge Gerry, Samuel Holten.

On the part and behalf of the State of Rhode Island and Providence Plantations.

William Ellery, John Collins.
Henry Marchant,

On the part and behalf of the State of Connecticut.

Roger Sherman, Titus Hosmer,
Samuel Huntington, Andrew Adams.
Oliver Wolcott,

On the part and behalf of the State of New York.

Jas. Duane, Wm. Duer,
Fra. Lewis, Gouv. Morris.

On the part and in behalf of the State of New Jersey, Novr. 26, 1778.

Jno. Witherspoon, Nathl. Scudder.

On the part and behalf of the State of Pennsylvania.

Robt. Morris, William Clingan,
Daniel Roberdeau, Joseph Reed, 22d July, 1778.
Jona. Bayard Smith

On the part and behalf of the State of Delaware.

THO. M'KEAN, Feby. 12, 1779. NICHOLAS VAN DYKE.
JOHN DICKINSON, May 5th, 1779.

On the part and behalf of the State of Maryland.

JOHN HANSON, DANIEL CARROLL,
March 1, 1781. Mar. 1, 1781.

On the part and behalf of the State of Virginia.

RICHARD HENRY LEE, JNO. HARVIE,
JOHN BANISTER, FRANCIS LIGHTFOOT LEE.
THOMAS ADAMS,

On the part and behalf of the State of No. Carolina.

JOHN PENN. July 21st, 1778. JNO. WILLIAMS.
CORNS. HARNETT,

On the part and behalf of the State of South Carolina.

HENRY LAURENS, RICHD. HUTSON,
WILLIAM HENRY DRAYTON, THOS. HAYWARD, JUNR.
JNO. MATHEWS,

On the part and behalf of the State of Georgia.

JNO. WALTON, 24th July, 1778. EDWD. LANGWORTHY.
EDWD. TELFAIR,

Articles of War, the code of regulations for the government of the army and navy of the United States. Congress not only is the only authority which can declare war, but it is its duty also to legislate on all matters pertaining to the military and naval establishments, except that it cannot deprive the President of the United States of the exercise of his proper functions as commander-in-chief. This authority is conferred upon him by the Constitution.

Artillery, the name given to that division of an army which fights with heavy guns; it is also applied to the heavy ordnance of modern warfare, such as cannon, mortars, howitzers, machine guns, etc., composing its equipment. In ancient and medieval times, all offensive weapons of whatever size, and all engines for the projection of missiles, even to bows and arrows, were classed as artillery.

The artillery branch of a modern army takes an important part in siege operations and in long-continued battles, where from comparatively fixed positions the gunners hurl heavy projectiles into the ranks of an enemy. As a rule, artillery companies move slowly from one position to another, except

the detachments serving machine guns and other light ordnance. In the army of the United States, as authorized by the act of 1901, there are 126 companies of coast artillery, 28 batteries of field artillery, 2 siege batteries and 10 artillery corps bands. A company, or battery, is composed of three or four commissioned officers and from 80 to 90 privates and non-commissioned officers. See CAVALRY; INFANTRY.

Ashburton Treaty. See WEBSTER-ASHBURTON TREATY.

Assay, a term used in metallurgy to denote the chemical operation by which the proportions of precious metal and alloy are determined. The word also refers to the substance to be examined, and may be applied, as well, to the result of such a test. See ASSAY OFFICE.

Assay Office, a laboratory maintained by the Government for examining ores, in which the chief assayer is called the assay master. To this office the citizen may bring his gold bullion and receive its value in money, less a certain fixed charge, called seigniorage [q. v.]. There are now seven assay offices, located at New York City; St. Louis, Mo.; Helena, Mont.; Boise, Idaho; Charlotte, N. C.; Denver, Colo.; San Francisco, Cal.; and Seattle, Washington. An act of Congress may remove any of these to other locations or cause any to be abandoned.

Assembly, the name by which law-making bodies are called in certain States; another name for Legislature or General Assembly. Each State Constitution dictates the legal name by which its law-making department shall be known. The word is also applied occasionally to the legislative department of a city government, although Council and Board of Aldermen are commoner terms.

Assembly, RIGHT OF. See RIGHT OF ASSEMBLY.

Associate Justice. The title given to each of the eight members who, with the Chief Justice, constitute the Supreme Court of the United States. All the Justices are appointed by the President, with the consent of the Senate, and serve for life or during good behavior. When a Justice reaches the age of seventy years, he is entitled to honorable retirement on full pay,

provided he has served ten years. In public prints, the title of a Justice of the Supreme Court is sometimes erroneously given as Judge; the more dignified title of Justice should always be used, as befits an occupant of the most exalted bench in the world; thus, Mr. Justice Brewer. The salary of an Associate Justice is $12,000. See CHIEF JUSTICE; SUPREME COURT.

Attache, MILITARY. Each embassy or legation in the diplomatic organization of all modern countries includes in its personnel, in addition to the regular diplomatic retinue, a military or naval officer whose duty is to keep himself thoroughly informed with respect to everything that takes place in military or naval matters; such facts as mobilization, armament and equipment of the Government to whom the attache is accredited are reported regularly to the home Government. In a sense, the military or naval attache is a spy, but as his position is well understood, and as the Government spied upon maintains a similar official in the capital of the attache's home Government, the arrangement is considered satisfactory on both sides. The task assigned this official is one of great delicacy, and requires on occasion the highest diplomacy.

Attainder, a word borrowed from the practice of English law, meaning the extinction of all civil rights and privileges in an individual, involving possible forfeiture of property and its seizure by the Government, thus depriving legal heirs of their property rights. In ancient and pagan times not only did the accused suffer all the penalties above mentioned, but instances are on record involving death sentence, in which the eldest son was forced to share the fate of his father, on the theory that the son had inherited the same evil tendencies and would later become a public menace. See BILL OF ATTAINDER.

Attainder, BILL OF. See BILL OF ATTAINDER.

Attorney-General. The Judicial Department of the Federal Government was created by act of Congress in 1870, and the Attorney-General was placed at its head. Previous to this date there had existed since the foundation of the Government the office of Attorney-General, although he had not been recognized as the head of a distinct Department. The act of 1789 creating

this office specified that it should be the duty of the Attorney-General to appear in the name of the Government in all suits in the Supreme Court to which the United States should be a party; he was also charged with the duty of giving his advice and opinion upon all questions of law, when required to do so by the President or the head of any Executive department. In 1861, by act of Congress, he was given general superintendence of United States Attorneys and United States Marshals in all of the Judicial districts of the States and Territories.

While the Attorney-General has occupied his seat as a Cabinet member throughout the whole history of the country, yet for many years his salary was not as large as that given to other Cabinet members, for the reason that he was not recognized as the head of a Department. At first he received a salary of $1,500 and it was continued at this rate until 1850, when it was made $6,000, the same as other members of the Cabinet received; in 1853 it was made $8,000, and in 1873 it was raised to $10,000; in 1874 it was reduced to $8,000, and in 1906 raised to $12,000. See JUSTICE, DEPARTMENT OF.

The names of those who have served as Attorney-General of the United States are as follows:

Edmund Randolph,	Virginia,	Appointed Sept. 26, 1789.
William Bradford,	Pennsylvania,	" Jan. 28, 1794.
Charles Lee,	Virginia,	" Dec. 10, 1795.
Theophilus Parsons,	Massachusetts,	" Feb. 20, 1801.
Levi Lincoln,	Massachusetts,	" March 5, 1801.
Robert Smith,	Maryland,	" March 2, 1805.
John Breckenridge,	Kentucky,	" Aug. 7, 1805.
Cæsar A. Rodney,	Delaware,	" Jan. 20, 1807.
William Pinkney,	Maryland,	" Dec. 11, 1811.
Richard Rush,	Pennsylvania,	" Feb. 10, 1814.
William Wirt,	Virginia,	" Nov. 13, 1817.
J. McPherson Berrien,	Georgia,	" March 9, 1829.
Roger B. Taney,	Maryland,	" July 20, 1831.
Benjamin F. Butler,	New York,	" Nov. 15, 1833
Felix Grundy,	Tennessee,	" Sept. 1, 1838.
Henry D. Gilpin,	Pennsylvania,	" Jan. 10, 1840.
John J. Crittenden,	Kentucky,	" March 5, 1841
Hugh S. Legaré,	South Carolina,	" Sept. 13, 1841.
John Nelson,	Maryland,	" July 1, 1843.

John Y. Mason,	Virginia,	Appointed	March 5, 1845.
Nathan Clifford,	Maine,	"	Oct. 17, 1846.
Isaac Toucey,	Connecticut,	"	June 21, 1848.
Reverdy Johnson,	Maryland,	"	March 7, 1849.
John J. Crittenden,	Kentucky,	"	July 20, 1850.
Caleb Cushing,	Massachusetts,	"	March 7, 1853.
Jeremiah S. Black,	Pennsylvania,	"	March 6, 1857.
Edwin M. Stanton,	Pennsylvania,	"	Dec. 20, 1860.
Edward Bates,	Missouri,	"	March 5, 1861.
Titian J. Coffey, *ad int.*,	Pennsylvania,	"	June 22, 1863.
James Speed,	Kentucky,	"	Dec. 2, 1864.
Henry Stanbery,	Ohio,	"	July 23, 1866.
William M. Evarts,	New York,	"	July 15, 1868.
E. R. Hoar,	Massachusetts,	"	March 5, 1869.
Amos T. Ackerman,	Georgia,	"	June 23, 1870.
George H. Williams,	Oregon,	"	Dec. 14, 1871.
Edwards Pierrepont,	New York,	"	April 26, 1875.
Alphonso Taft,	Ohio,	"	May 22, 1876.
Charles Devens,	Massachusetts,	"	March 12, 1877
Wayne McVeagh,	Pennsylvania,	"	March 5, 1881.
Benjamin H. Brewster,	Pennsylvania,	"	Dec. 19, 1881.
Augustus H. Garland,	Arkansas,	"	March 6, 1885.
William H. H. Miller,	Indiana,	"	March 5, 1889.
Richard Olney,	Massachusetts,	"	March 6, 1893.
Judson Harmon,	Ohio,	"	June 8, 1895.
Joseph McKenna,	California,	"	March 5, 1897.
John W. Griggs,	New Jersey,	"	Jan. 22, 1898.
Philander C. Knox,	Pennsylvania,	"	April 5, 1901.
William H. Moody,	Massachusetts,	"	July 1, 1904.
Charles J. Bonaparte,	Maryland,	"	Dec. 3, 1906.

Auditor, a person appointed or elected to examine into the financial affairs of a company, corporation, municipality, or of a State or Nation, and to certify as to their accuracy. A *county auditor* passes upon all bills against his county; a *State auditor* performs a like service in behalf of the State. Wherever the laws do not provide for the office of auditor, an auditing board, composed of elective officers, is always a part of the political organization. In the United States Government six auditors are attached to the Treasury Department.

Australian Ballot, a plan of voting at elections which combines a specially prepared ballot with personal security of

the voter from public scrutiny. This form of ballot was introduced from Australia, where in the southern provinces it was first used about 1852. In England the system was adopted in 1872; it was first used as an experiment in the direction of ballot reform in the United States in 1887, in the State of Massachusetts. So admirable were its provisions, effectually preventing corruption and intimidation of the weak voter at the polls, that within four years twenty-eight States had adopted the system, with only slight modifications. Now almost every State has officially adopted it.

The ticket used in voting under the Australian system is provided by State or local election authorities and contains the names of all nominees for office of all political parties participating in the election; no ballot is permitted in the hands of any person before the polls are opened; the seal of the package containing the ballots to be used is broken in the presence of the judges of election at the polling places on election morning. Each voter is handed a ballot previously marked with the initials of an inspector, as a means of establishing the validity of the sheet, and he carries it to an enclosed booth, where he may mark it as he pleases, thus secretly expressing his choice of persons to be elected. The voter indicates his choice by crosses placed opposite the names of the persons preferred; or he may place a single cross opposite the name of his party, if he desires to vote a "straight" ticket.

B

Bachelor President. The only unmarried man who became President of the United States and remained single during his entire term of office was James Buchanan. Grover Cleveland was unmarried during the first fifteen months of his first administration; he was married in the Executive Mansion, to Miss Frances Folsom, on June 2, 1886. The designation, bachelor President, applies to Buchanan alone.

Bail, the security accepted by a court for the temporary release of a prisoner from the custody of an officer, pending the trial of his case. The signatures of two reputable property owners are usually required on bail bonds, and these signers become responsible to the court for the appearance of the accused when wanted. They forfeit to the State the amount named in the document if the prisoner escapes and cannot readily be found. The term is used also to denote the persons who volunteer as sureties for the accused. See BOND.

Bail Bond. See BOND.

Balance of Power [a] in a legislative body, that power held by a small proportion of its members who can join either of two opposing factions and by that act create a majority. One hundred Republicans opposed by an equal number of Democrats render definite action by either impossible; one or two other persons belonging to the same body but with different party affiliations may by favoring either principal element break a tie vote. Under such circumstances they would hold the balance of power. [b] A finely adjusted and evenly balanced state of affairs among nations, by which no single nation or a number acting in harmony may acquire power that may endanger the welfare of any other nation or the peace of a continent.

Balance of Trade, the difference between the value of the imports and exports of a nation. When the exports of the United States are greater during any one year than its imports, the balance of trade is said to be in our favor, for more money

is paid us for our products than we are obliged to spend abroad in the purchase of what we do not produce. If we purchase from other countries more than we sell them, the balance of trade is against us. That country is most prosperous which always has a good credit balance abroad.

Ballot. Any vote taken in such a manner that the choice of each individual voter is kept secret is called a ballot; also, the piece of paper or other material on which the choice of the voter is expressed. The ballot, in some form, is almost as old as civilization; the methods of recording fairly the citizen's choice in public matters have covered a wide range—from depositing colored stones in a box to the Australian ballot [q. v.] and the voting machine [q. v.]. In Athens, at the height of its ancient glory, balls of stone or metal were used as ballots. Those black in color or having a hole in the center expressed condemnation of a man or disapproval of a measure; white or unpierced pieces indicated acquittal or approval. Ballots were first used in Rome about 140 B. C., and were first of metal, changing later in cases before the law to written initials: *A* for *absolvo*, *C* for *condemno* and *N. L.* for *non liquet*.

Ballots were first used in England in 1662, in deciding a measure which proposed the ostracism of certain officials against whom was charged unfitness to hold public office. The plan of voting was as follows: Each member of Parliament wrote on paper, in penmanship disguised as much as possible, the names of those officials he charged as incompetent and corrupt. The pieces of paper were deposited in a bag, which was at once sealed and passed to the King and his counsellors. The method of voting was repudiated by the King and no form of ballot was again attempted until 1705, when a member of Parliament proposed a secret vote to protect members from Court influence. Not until 1782 was the ballot in anything like its present-day forms generally adopted in Great Britain in municipal and Parliamentary elections.

In the United States, where the whole system and practice of government is determined by choice of the people, it has been vitally essential that the strongest safeguards be thrown

around the ballot, the medium through which the people's desires find direct expression. Paper ballots were used in all the colonies from dates of earliest settlement, although there was no legislation on the subject until 1776, when a form of voting by means of the paper ballot was prescribed in several State Constitutions. Greater than the question of material out of which the ballot should be made has been that of securing honest elections and preserving the purity of the ballot. After trying every device that ingenuity can suggest, no safer method of voting has yet been found than the Australian ballot; voting machines are yet practically untried, but bid fair to supersede every other method when once their adaptability has been demonstrated.

Ballot Box Stuffing is the name applied to a method of committing fraud at elections. By skillfully arranging two or more ballots so that they appear as one, a dishonest voter is enabled to cast several votes. By the adoption of more stringent election laws than were formerly in force, such as careful registration of voters and an official check upon those offering to vote, this evil has been greatly lessened. Heavy penalties are imposed for illegal voting.

Banishment implies forcible and lawful exclusion of a person from a country. Originally it meant simply exclusion of a person from the protection of the law and the society of his fellow-men, always for some sufficient reason. Since the day of Magna Charta in England, it has been unlawful to pronounce a decree of banishment against any person, except by the judgment of his peers, by due process of law. Acts of Parliament within the past hundred years have made it illegal to deport citizens of Great Britain; they must be punished in the province in which their alleged crimes are committed. In the United States, no citizen may be deprived of his citizenship by banishment. There are numerous instances of expulsion from our shores of mischief-making foreigners, who have no right to the protection of our laws when engaged in a propaganda against established society; such deportation is in no sense banishment.

Bank. A bank may be defined, in brief, as an institution which receives money in trust on deposit and which loans money at interest. Its profits are largely represented by the excess of interest on the money it loans over the interest it pays on the money deposited with it. A bank will also cash checks and drafts drawn upon other banks, and it issues drafts payable in other cities by previous arrangement of credits with the banks on which its drafts are drawn. For these services a small fee, called exchange, is exacted, which adds considerably to its revenue.

The first bank established in the United States was chartered by the Government, and either Federal or State authority has since continued largely in control of the general business of banking. The organization and management of banks has frequently been a political issue of sufficient importance to create serious discord, as in 1837, when President Jackson's influence was strong enough to prevent the passage of an act renewing the charter of the Bank of the United States [see UNITED STATES BANK].

Banks are of three general classes: private, State and National. The first class flourish as purely private enterprises, without direct supervision by any Government authority. They are to be trusted to the extent that the community supporting them have faith in the honesty and financial ability of the owners. State banks are organized under carefully drawn State laws which prescribe the methods under which they must be conducted; there is provision for frequent publication of the general condition of the bank, and at intervals the books are audited by attaches of the office of the State bank examiner. The public's strongest assurance of the stability of State banks lies in this publicity.

National banks derive their name from the fact of their organization, by private capital, under general banking laws prescribed by Congress; they must not be confused with United States Banks, of which there have been but two in the history of the country. National banks offer the greatest measure of security, although the statement is not to the disparagement

of those banks organized under conservative State laws. The Federal Government exercises watchful supervision over all National banks and in case of the failure of such an institution, the Treasury Department appoints a receiver, who winds up its affairs under the personal direction of the Comptroller of the Currency. The principal provisions of the National Bank Law are as follows:

In towns having a population of 3,000 or less the minimum capital allowed is $25,000. In towns of between 3,000 and 6,000 people the minimum capital allowed is $50,000; and in cities and towns having a population of 6,000 or more but not exceeding 50,000, the minimum capital must be $100,000; while in cities of over 50,000 people the bank must have a capital of at least $200,000. There is no limit to the amount of capital above $200,000.

Every National bank must purchase and deliver to the Treasurer of the United States registered U. S. bonds to an amount not less than $50,000, except banks with a capital of $150,000, or less; the minimum amount of bonds required is one quarter of the capital.

The Government then issues and delivers to the bank circulating notes in denominations of $5, $10, $20, $50, $100, as desired, in total amount equal to the par value of the bonds deposited. A bank may deposit bonds and receive circulating notes to an amount equal to its capital.

Each bank is required to make a sworn statement of its condition to the Comptroller of the Currency at Washington at least five times a year, and to publish the same in a newspaper. Two examinations a year are made by capable men employed by the Government as National bank examiners, their visits being always without notice.

Requirement is made in the National bank act for the accumulation of a surplus by each bank from its earnings as an additional protection above its capital to the depositors. The depositors are further protected against loss by the liability of each stockholder to the payment of an amount equal to the par value of the stock held, in event of failure of the bank.

Bank of the United States. See UNITED STATES BANK.

Bank Bill, a note of a National bank, circulating as money, the value and redemption of which are guaranteed by a sufficient deposit of United States bonds with the Treasurer of the United States. There are several advantages to the country in this National bank circulating medium; the holder of such a note is absolutely assured of its value by the Federal Government; each bank must receive the notes of every other bank, on

presentation, at par; by law these notes are legal tender in payment of all debts and dues, except for duties on imports; the currency is of uniform value throughout the country. The stable nature of National bank currency is in striking contrast with the "wildcat currency" [q. v.] of former days. See BANK; MONEY; CURRENCY.

Bank Note, a term frequently applied to a bank bill [q. v.].

Bankrupt, a person, usually in trade, who is unable to meet his financial obligations and is without credit. A bankrupt is discharged from his indebtedness upon full surrender of all his property to a court for equitable distribution among his creditors. See BANKRUPT LAW.

Bankrupt Law, a law providing a method by which an insolvent may be relieved of his indebtedness. The laws of all civilized countries prescribe some reasonable means of satisfying the creditors of a man who finds himself without further resources, so far as it is possible to satisfy them. The Constitution provides that Congress shall establish uniform laws on the subject of bankruptcy throughout the United States. Not only are such laws designed for the protection of creditors, but they secure a measure of justice to the debtor, when justly administered. "Bankrupt and insolvent laws are intended to secure the application of the effects of the debtor to the payment of his debts, and then to relieve him from the weight of them." [Kent.]

The National Bankrupt Act of 1898 makes the following general provisions for the relief of those who are compelled to become bankrupt:

Who May Become Bankrupts.—[a] Any person who owes debts, except a corporation, shall be entitled to the benefits of this act as a voluntary bankrupt.

[b] Any natural person (except a wage-earner or a person engaged chiefly in farming or the tillage of the soil), any unincorporated company and any corporation engaged principally in manufacturing, trading, printing, publishing or mercantile pursuits, owing debts to the amount of one thousand dollars or over, may be adjudged as involuntary bankrupt upon default or an impartial trial, and shall be subject to the provisions and entitled to the benefits of this act. Private bankers, but not National banks

or banks incorporated under State or Territorial laws, may be adjudged involuntary bankrupts.

Duties of Bankrupts.—[a] The bankrupt shall [1] attend the first meeting of his creditors, if directed by the court or a judge thereof to do so, and the hearing upon his application for a discharge, if filed; [2] comply with all lawful orders of the court; [3] examine the correctness of all proofs of claims filed against his estate; [4] execute and deliver such papers as shall be ordered by the court; [5] execute to his trustee transfers of all his property in foreign countries; [6] immediately inform his trustee of any attempt, by his creditors or other persons, to evade the provisions of this act, coming to his knowledge; [7] in case of any person having to his knowledge proved a false claim against his estate, disclose that fact immediately to his trustee; [8] prepare, make oath to, and file in court within ten days, unless further time is granted, after the adjudication, if an involuntary bankrupt, and with the petition, if a voluntary bankrupt, a schedule of his property, showing the amount and kind of property, the location thereof, its money value in detail, and a list of his creditors, showing their residences, if known [if unknown that fact to be stated], the amount due each of them, the consideration thereof, the security held by them, if any, and a claim for such exemptions as he may be entitled to, all in triplicate, one copy of each for the clerk, one for the referee and for the trustee; and [9] when present at the first meeting of his creditors, and at such other times as the court shall order, submit to an examination concerning the conducting of his business, the cause of his bankruptcy, his dealings with his creditors and other persons, the amount, kind and whereabouts of his property, and, in addition, all matters which may affect the administration and settlement of his estate; but no testimony given by him shall be offered in evidence against him in any criminal proceedings.

Provided, however, that he shall not be required to attend a meeting of his creditors, or at or for an examination at a place more than one hundred and fifty miles distant from his home or principal place of business, or to examine claims except when presented to him, unless ordered by the court, or a judge thereof, for cause shown, and the bankrupt shall be paid his actual expenses from the estate when examined or required to attend at any place other than the city, town or village of his residence.

The Arrest of a Bankrupt—A bankrupt is exempt from arrest upon civil process except when such process is issued from a court of bankruptcy for contempt or disobedience of its lawful orders; or on occasions when issued from a State court having jurisdiction and served within such State, on the ground that the claim or debt was one from which a discharge in bankruptcy would not be a release.

Death of a Debtor.—In case of the death or insanity of a debtor proceedings will not be abated, but will be conducted and concluded, as far as possible, as though he had not died or become insane.

Settlements with Creditors.—Terms of settlement may be offered after, but not before, a bankrupt has been examined in open court or at a meeting of his creditors and filed in court the schedule of his property and list of his creditors. If it is accepted by a majority of all the creditors whose claims have been allowed it may be confirmed by the court. Settlements, however, may be set aside for fraud.

Discharge of a Debtor.—An application for a discharge in bankruptcy may be filed after the expiration of one month and within the next twelve months subsequent to being adjudged a bankrupt, or, if it is shown that the bankrupt was unavoidably prevented from filing his application within said time, the court may permit him to file it within the next six months. At the hearing for a discharge the bankrupt will be discharged unless it can be shown that he has committed offenses punishable by imprisonment under the provisions of the act; has concealed his true financial condition with fraudulent intent, or, in contemplation of bankruptcy, has concealed, destroyed or failed to keep books of account or record in order that his true condition might not be ascertained. Discharges may be revoked on the ground of fraud.

What Discharge Implies.—Discharge in bankruptcy releases the bankrupt from all his provable debts, except they be in the nature of taxes levied by the United States, or the State, county, district or municipality in which he resides; judgments in actions for fraud; for obtaining property under false pretenses, or for wilful or malicious injuries to the person or property of another; debts which have not been scheduled in time for proof and allowance, with the name of the creditor, when known, unless such creditor had notice or actual knowledge of the proceedings in bankruptcy, or debts created by the fraud, embezzlement, defalcation or misappropriation of the bankrupt, while acting as an officer in any judiciary capacity.

The above provisions are general in scope. To the States is given the privilege of enacting such additional legislation as will not conflict with the laws of Congress, and every State has passed laws from time to time for the guidance of its local courts in dealing with the subject. These statutes cover general and special assignments, preferred creditors, final discharge of debtors, etc.; they follow no uniform rules, but reflect local sentiment.

Barnburners. In 1844 the Democratic party split into two bitterly opposing factions. One led by Martin Van Buren was given the name Barnburners, from a story current at the time about a farmer who destroyed his barn by fire to free it

from rats. The opponents of Van Buren charged that he was willing to sacrifice his party if such an act would destroy the influence of political enemies. See POLITICAL PARTIES IN THE UNITED STATES.

Barracks are permanent shelters for military bodies. At various times in the United States there have been almost 5,000 forts, batteries, stations, etc., and all have been provided with living quarters. Under present conditions, the task of providing barracks for the various fighting units of the army is in the charge of the Quartermaster-General; under him is a Supervising Architect and a corps of assistants. The appropriation bill for the army every two years carries a liberal item for barracks and quarters. See FORT.

Barrel, an expression used in politics to denote the improper use of money in a campaign. A rich man who gives freely of his wealth for the benefit of his party is said to "open his barrel," and his act sometimes gives rise to the suspicion that he expects valuable favors in return for his contributions.

Basis of Representation. See RATIO OF REPRESENTATION; APPORTIONMENT.

Battalion, a unit in the organization of an army, composed of two or more companies of troops, forming part of a regiment. The officer in command of a battalion is a Major, whose rank is next above the Captain of a company, and below the Lieutenant-Colonel of a regiment. [See these various names, in alphabetical order].

Battleship. The highest and heaviest class of war vessel designed for sea fighting is the battleship. The modern vessel of this class is provided with the most invulnerable armor plate and the heaviest guns. The battleship differs from the next important naval vessel, the cruiser, in respect to size, armament and thickness of plate. In a fleet of modern war vessels, the battleship is the unit of strength, and it is expected to give and receive the hardest blows. The tonnage of battleships ranges from 12,000 to 16,000 tons, or even more; a cruiser's tonnage is from 7,000 to 12,000. See NAVY OF THE UNITED STATES.

Belligerent, a nation in a state of war with another country, whose status is so recognized by disinterested powers. The term marks the difference between two recognized independent powers in conflict and a subject state or race in rebellion against its home Government. The former are belligerents, without question; in case of a subject state, its act is open rebellion, and it is entitled at first neither to open sympathy nor support from any nation. As the struggle progresses it may be apparent that the rebels have won, morally and physically, the right to recognition on even terms with the parent Government. When any nation so proclaims this new status, the rebels, in the eyes of that nation, are henceforth belligerents. This, in effect, is recognition of the birth of a new nation, provided, of course, its cause finally wins. During the continuation of hostilities, those in rebellion are accorded every international courtesy due to the Government against which it fights.

Before there can be recognition of belligerency it must be apparent that the rebels have established civil government within the sphere of their influence, and that the Government so established is able to protect life and property. The best known instances of according belligerent rights to any people are the acts of Great Britain and France in recognizing the belligerency of the Confederate States of America. From the date of their proclamations until the close of the war there existed, so far as these two European nations were concerned, two republics in North America, each fighting for the mastery of the situation. The Confederacy was given every advantage that the Federal Government could demand from those two European powers.

Bill, a written document containing a provision of law presented in a Legislative body by a member thereof, for enactment into a statute. A bill may become a law in three ways:

[1] By passing the law-making department in the prescribed manner and receiving Executive approval within the number of days allowed for its scrutiny, usually ten.

[2] By being returned to the Legislative department without Executive approval and passed over the Executive's veto by the number of votes prescribed by the Constitution as essential.

[3] By the Executive's failure to approve or disapprove of the measure within ten days of the time it was passed by the Legislative branch, Sundays excepted [see POCKET VETO].

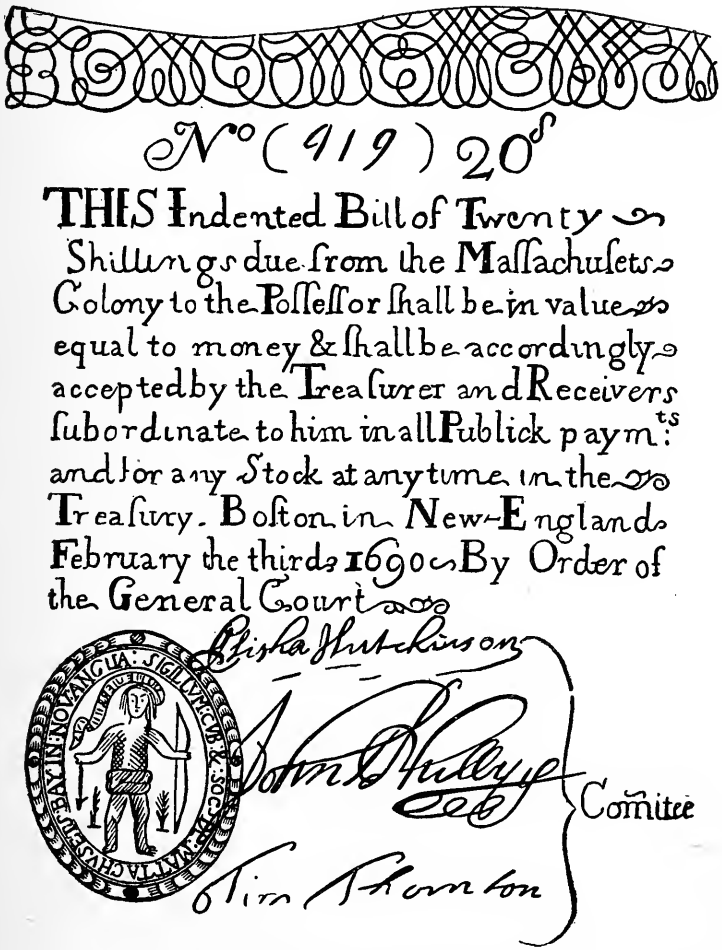
As soon as a bill is legally passed and becomes effective, it is called an Act [q. v.].

Bill of Attainder, a Legislative act pronouncing sentence of death, and decreeing, in some cases, other penalties, such as forfeiture of property to the Government, enacted without giving the defendant a public trial, and often without a hearing of any kind. A person against whom such an act was passed was rendered infamous, and was said to be attainted, stained, disgraced. Certain European Governments in days past have found this method convenient, if wholly indefensible, in disposing of political offenders. Public trials would frequently reveal a very embarrassing state of affairs, and seriously endanger the stability of the throne. Such acts are beyond the range of possibility in the United States, being expressly forbidden in the Constitution [Art. I, Sec. 9, Clause 3]. No punishment, even for treason, which is the greatest offense known, can extend beyond the life of the guilty person, and his death is not decreed until he has had ample opportunity to defend himself in the highest courts. His property passes intact to his heirs, and against them no penalties can be laid.

Bill of Pains and Penalties. If the legislative act above described (Bill of Attainder) inflicted a punishment less than death, it was called a Bill of Pains and Penalties. This act frequently carried with it confiscation of property to the last parcel owned by the accused, and decreed that the guilty person should receive no property later by inheritance or through any other means.

Bill of Credit, a document issued by a State or other sovereign power, promising to pay a stipulated sum of money, and designed to circulate as money until redeemed. The

history of bills of credit in the United States is a part of the story of the evolution of our monetary system. The first bills of credit, or paper money, in the English colonies in America

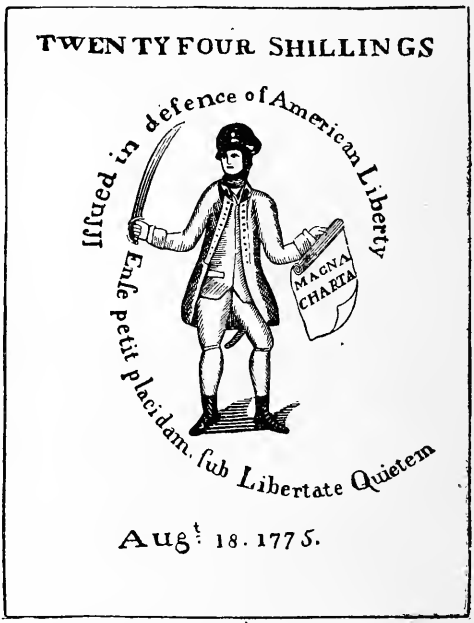

N° (919) 20s
THIS Indented Bill of Twenty Shillings due from the Massachusets Colony to the Possessor shall be in value equal to money & shall be accordingly accepted by the Treasurer and Receivers subordinate to him in all Publick paym.ts and for any Stock at any time in the Treasury. Boston in New-England February the third 1690 By Order of the General Court
Elisha Hutchinson
John Phillips
Comitee
Wm Thomson

FAC SIMILE OF THE FIRST AMERICAN PAPER MONEY

were issued by Massachusetts, in 1690, to pay the soldiers who served in an expedition against Quebec. There was no money in the public treasury to meet the expense, and rioting would

have resulted had not the General Court decided to issue bills of credit—really due-bills—promising to redeem them out of any moneys which later might be in the treasury. They were made receivable for taxes and a legal tender for all debts. All of these bills were ultimately redeemed. The second important issue was also in Massachusetts, in 1711, and was to pay a portion of the expense of an invasion of Canada.

The savages were not ignorant of the uses of these expedients. During Pontiac's War that wily chieftan issued promissory notes in payment for foodstuffs for his warriors. These bills were written upon birch bark and signed with Pontiac's totem — the figure of an otter. So great was the esteem in which he was held by the French inhabitants that they accepted the notes as money, and every piece of bark was redeemed at its face value, something which cannot be said of all of the white man's efforts in the field of early financial emergency.


TWENTY FOUR SHILLINGS
Issued in defence of American Liberty
Esto petit placidam sub Libertate Quietem
MAGNA CHARTA
Aug^t 18. 1775.
REVERSE OF A COLONIAL TREASURY NOTE.

Probably the most notable issue of bills of credit was in 1775, immediately after the Congress of the colonies had formally renounced allegiance to the English Crown. It was necessary to prepare an army for the conflict which was foreseen, and in August bills of credit, or paper money, were authorized, to the amount of $375,000, and it was made a full legal tender. The reverse side of these bills is shown in the

illustration; a literal translation of the Latin phrase is, "He seeks by the sword calm repose under the auspices of freedom."

After the Union was organized, the new Government at once turned its attention to the establishment of a sound monetary system, under the direction of Alexander Hamilton, one of the most brilliant financiers the country has ever produced.

Bill of Pains and Penalties. See BILL OF ATTAINDER.

Bill of Rights. A bill of rights is the summary of the rights and privileges claimed by the people of a nation against the oppression of their rulers, either actual or prospective. The first ten Amendments of the Constitution of the United States have been termed by many publicists the American Bill of Rights [see AMENDMENTS].

The Bill of Rights in England was an act of Parliament, passed in 1689, upon the accession of William and Mary to the throne. It has been aptly called the third bulwark of English liberty, the other two being Magna Charta [q. v.] and the Petition of Rights [q. v.]; the latter was the immediate predecessor of the Bill of Rights. William and Mary were invited to occupy the throne jointly, but upon them was imposed acceptance of the principles of this declaration of the rights of the people. It declared illegal any attempt of the sovereign to suspend the laws or delay their execution; no taxes were to be levied by the rulers without Parliamentary consent; Parliament alone could provide for a standing army; the right of petition to the king was to be forever recognized; the people were to be allowed to bear arms in their own defense, and were to be free from excessive fines and cruel and unusual punishments. There was also a provision that Parliament should be convened frequently; that election to its membership should not be confined to a few, but should be open to all, and that members should have freedom of speech in debate. It will thus be seen that many of our American ideals were the political standards of Englishmen of more than two centuries ago, many of whom became colonists in the New World. These brought their Bill of Rights into the New England wilderness, and the

principles so zealously defended by them became the solid foundation of a free people's government.

Bimetallism, a term employed to designate a double standard of value in money, by which is meant the coinage of both gold and silver on a basis of comparative value that is permanently fixed by legislation. Under such a system, both gold and silver would be legal tender for all debts, public and private. Bimetallists contend that if nations could by international agreement fix some ratio of exchange between gold and silver, they could create an automatic system by which the demand and supply of gold and silver, respectively, would maintain that ratio at the point the nations fixed it. They insist that the world's commercial interests are suffering because of the uncertainty of exchange rates between gold standard countries and those having the silver standard. The advocates of the bimetallic standard propose that all the mints of the world shall be opened, by agreement, to the free and unlimited coinage of gold and silver. Several international conventions have met to discuss the proposition, but without practical results.

A strong section of the Democratic party of the United States, under the leadership of William Jennings Bryan of Nebraska, fought aggressively for the principle for more than ten years, demanding that it be applied to this country alone, if other nations refused to join; the platform of the party declared for "the immediate restoration of the free and unlimited coinage of gold and silver at the present legal ratio of 16 to 1, without waiting for the aid or consent of any other nation," and also that "the standard silver dollar shall be full legal tender equally with gold for all debts, public and private." In two Presidential campaigns the issue was defeated, the electorate believing that action by this country alone would be disastrous to its interests. Recent legislation by various Governments seems to establish a monometallic standard for many years to come. See MONOMETALLISM; SIXTEEN-TO-ONE.

Black Laws. Many Northern States in the years preceding the Civil War passed laws popularly termed "Black Laws,"

relating to the negro problem. These named certain acts to be performed by free negroes as a condition of residence in those States, and prescribed other measures designed to keep the blacks under proper control. Such were laws requiring them to file certificates of their freedom, forbidding them to testify in cases in which a white man was interested, excluding them from the militia and from the public schools, and requiring them to give bonds for their good behavior. Public sentiment gradually accomplished the repeal of all these statutes.

Black Republicans. Prior to and immediately after the Civil War the members of the Republican party were so called by their opponents because of their attitude on the negro question. See Republican Party.

Blockade, the investment of a seaport or a line of coast by the vessels of an enemy in time of war with the intention of rendering communication with the besieged impossible. By the rules of modern warfare, the blockading force must give public notice to neutrals that a blockade is intended, thus warning them of the danger of attempting to pass through the investing lines. The force on guard must be sufficient to make its pretensions effective, at least to the extent of rendering any attempt to break the blockade obviously dangerous, and said force must be continuously employed. A scattering of the patrolling fleet by storm, however, is not considered as lifting the blockade.

A blockade is a measure fully justified in international law; it is recognized as one of the necessities of war. When once established outside a city or extent of coast line, all neutral nations are bound to respect the conditions it seeks to enforce, provided the force on the blockade line is strong enough to be effective. The nations are of one voice in insisting that a proclamation of blockade is not to be taken seriously unless a proper showing of force is made and maintained. When the ends sought by the blockade are gained, or it has been found impossible to maintain it according to the rules of war, public notice to all nations is given that the blockade is raised. See Paper Blockade.

Blockade Runner, a vessel engaged in the hazardous business of attempting to pass through the lines of a blockading fleet, generally for purposes of trade, or to bring to the besieged munitions of war. If caught in the attempt, whatever goods the vessel contains are confiscated, and the ship may become the property of the captor nation. All persons engaged in the unsuccessful attempt may be held prisoners of war until the cessation of hostilities, or may be paroled, at the option of the captors.

Blocks of Five, a political phrase which originated in a story of corruption in the Presidential campaign of 1888. It was charged that an official of the National Republican committee had written a letter to the chairman of a certain State committee, recommending that he secure allegiance of the floating vote "in blocks of five," each purchased voter to receive a certain amount of money after the election. The managers of the Democratic party gave wide publicity to the charges and were sued for libel, but after the animosities of the campaign died away, the suit was not pressed.

Bloody Shirt, a term growing out of the bitterness between the North and the South during the Civil War and the years immediately following it. For many years after that conflict politicians of the dominant party at the North occasionally attempted to gain partisan advantage by base appeals to the passions roused by the clash of arms. The phrase "bloody shirt" refers to the dead issues involved in the war and the person appealing to those issues was said to "wave the bloody shirt." Most happily, the term is now obsolete.

Blue Book. Each year the various leading Governments of the world order printed the reports of all papers of an official character which may be published without violating State secrets. In the United States this volume is called the Blue Book, and besides certain official reports it contains lists of all persons in the employ of the Government in the civil, legal, military and naval departments. The name of the book is derived from the color of its cover, which is not changed from year to year.

Blue Laws, the name applied to any legal restrictions involving the domestic rights or reasonable freedom of action of any person; any strict regulation of matters usually left to the conscience of the individual. The phrase had its origin in the New England colonies, where the early laws were of a stringent character, but not until Connecticut colony printed certain regulations and bound them in a blue paper cover was the term "blue laws" applied. These Connecticut laws contained rigid enactments against many minor offenses and provided very strict social regulations. In them the sternness of the Puritan character was clearly revealed. However, the colonial fathers were not guilty of the enactment of a code of laws generally ascribed to them and known to every generation since as the famous "Connecticut Blue Laws." To ridicule the Puritans, a series of ridiculous enactments were promulgated, falsely purporting to be a selection from the laws bound in blue covers. A few of these so-called laws are appended; while written in jest, they were meant to satirize the stern people of the early day:

The governor and magistrates convened in general assembly are the supreme power, under God, of the independent dominion. From the determination of the assembly no appeal shall be made.

No one shall be a freeman or have a vote unless he is converted and a member of one of the churches allowed in the dominion.

No dissenter from the essential worship of this dominion shall be allowed to give a vote for electing of magistrates or any officer.

No food or lodging shall be offered to a heretic.

No one shall cross a river on the Sabbath but authorized clergymen.

No one shall travel, cook victuals, make beds, sweep houses, cut hair, or shave on the Sabbath Day.

No one shall kiss his or her children on the Sabbath or feasting days.

The Sabbath Day shall begin at sunset Saturday.

Whoever wears clothes trimmed with gold, silver, or bone lace above one shilling per yard shall be presented by the grand jurors and the selectmen shall tax the estate £300.

Whoever brings cards or dice into the dominion shall pay a fine of £5.

No one shall eat mince pies, dance, play cards, or play any instrument of music except the drum, trumpet, or jewsharp.

No gospel minister shall join people in marriage. The magistrate may join them, as he may do it with less scandal to Christ's church.

When parents refuse their children convenient marriages, the magistrate shall determine the point.

A man who strikes his wife shall be fined £10.

A woman who strikes her husband shall be punished as the law directs.

No man shall court a maid in person or by letter without obtaining the consent of her parents; £5 penalty for the first offense; £10 for the second, and for the third imprisonment during the pleasure of the court.

No one shall run on the Sabbath Day, or walk in his garden, except reverently to and from meeting.

If any person turns Quaker, he shall be banished, and not suffered to return but upon pain of death.

No priest shall abide in the dominion; he shall be banished and suffer death on his return. Priests may be seized by any one without a warrant.

Every male shall have his hair cut round according to a cap.

To pick an ear of corn growing in a neighbor's garden shall be deemed theft.

A person accused of trespass in the night shall be judged guilty, unless he clear himself by his oath.

When it appears that an accused has confederates, and he refuses to discover them, he may be racked.

No one shall buy or sell lands without permission of the selectmen.

A drunkard shall have a master appointed by the selectmen who are to debar him from the liberty of buying and selling.

Whoever publishes a lie to the prejudice of his neighbor shall sit in the stocks, or be whipped fifteen stripes.

Board of Review, elective officers, of every township or city, usually three in number, who compose a tribunal before which owners of real or personal property may appear to plead for change in the valuation of their goods or estate as assessed by the local taxing body. From the decision of the Board of Review there is no appeal, except through the courts.

Board of Geographic Names. In 1890 Congress authorized the organization of a permanent board for the purpose of securing uniform usage with respect to geographic names and spelling throughout all departments of the Government. This board is the final authority on these matters. To it are referred all unsettled or disputed questions concerning nomenclature which arise in the various Government departments. So far as their use in our Government is concerned, the decisions of this board are authority also as to the spelling of foreign names.

Board of Strategy, an adjunct of the fighting arm of the United States. It is composed of expert officers of the army and navy, who, in co-operation with all bureaus of information in the public service, plan operations on land and sea in time of war. This board rendered especially valuable service during the Spanish-American War in 1898. With large and complete maps covering all land and water likely to be involved in the war, the Board marked initial positions of armies and squadrons, both our own and of the enemy, and revised these markings with every change of position. It was therefore possible at any time to determine nearly the exact location of every company of men and every vessel. This information was conveyed by wire immediately to all interested parties. There is no occasion for the continuance on duty of the Board of Strategy in times of peace.

Bolter, one who refuses to support the candidates of his party in a political campaign. The defection is usually temporary, the bolters usually being adherents of some man whose political aspirations have not been realized, or they are people who are dissatisfied with the leaders whose policies control the party.

Bombardment. A bombardment is an attack by artillery upon the fortifications or property of an enemy. Its object may be to destroy military stores, arsenals, or dockyards, or to bring about the surrender of an important city. In modern times, bombardments have been conducted by the naval rather than by the military arm of a nation. Contrary to usual belief, the loss of life of non-combatants during bombardments is small, seldom more than one per cent of the casualties. See Blockade.

Bond, a term in law signifying a written agreement, by which the party issuing it becomes bound to pay a sum of money, or perform any act or duty at a given time, according to specified terms. In its commonest sense, a bond is an interest-bearing certificate of debt, issued usually by a corporation, a municipality, or a Government; as, a railroad bond, a Government bond, etc.

Bail Bond, the instrument executed by a person as surety for one under arrest, guaranteeing that the accused shall appear for trial at the appointed time. A bail bond signed by a person who misrepresents his wealth in the sworn schedule and therefore renders the bond practically worthless in case of default of the accused, is frequently called a straw bond. See below.

Debenture Bond, a bond acknowledging a loan indebtedness and securing payment out of some designated fund or income.

Registered Bond, a bond registered on the records of the issuing corporation or Government in the holder's name. Such a bond can be transferred to another person only by presenting it to the authority issuing it and having change of ownership recorded.

Straw Bond, a bond which is fraudulent or fictitious, and therefore worthless. Bail bonds in nearly every State must be secured by real estate holdings of at least twice the value of the bond demanded; in case the bond is forfeited the State then is easily able to collect the amount for which the signers obligated themselves. If a man offers a bond alleging adequate responsibility, when he does not possess property to the required value, his bond is a "straw bond," and in swearing falsely he is guilty of a misdemeanor.

Border Ruffians. During the years immediately preceding the Civil War, Southern sympathizers from Missouri made a practice of crossing the State boundary into Kansas to drive out the Free-State settlers, or to carry elections against those demanding that Kansas should be a free State. They were not careful to conceal their illegal acts at the ballot box; in one precinct at a certain election 640 votes were cast, of which only 20 were legal. These people, who did not cease their interference with Kansas affairs until that State was admitted to the Union, were called border ruffians.

Border States, the name applied before and during the Civil War to those States which were situated between the avowedly free States of the North and the openly announced slave States of the South. They were Delaware, Maryland,

Virginia, Kentucky and Missouri. Their nearness to the Northern States invited frequent attempts on the part of slaves to escape from their masters and cross the boundaries into free territory. The South claimed, with often the best of supporting evidence, that the States on the border did not enforce the fugitive slave laws. These States objected to making slavery an issue, and their citizens gave active support to those local political organizations which pledged themselves to remain neutral on that subject. During the Rebellion Virginia was the only border State to secede, but not all of that State was satisfied to remain out of the Union, the western part applying for and receiving separate Statehood in 1863. See FUGITIVE SLAVE LAW.

Boss, a term in politics applied to the man who controls his party, or a strong faction of it. Such a powerful factor in politics usually exercises his authority entirely in the interests of himself and his political friends, and with little regard for the best interests of all the people. Before an enlightened public sentiment "bosses" and "boss rule" are gradually disappearing from political life.

Boundary Lines, INTERNATIONAL. See INTERNATIONAL BOUNDARY.

Bounty Jumper. Occasionally in stress of war a nation finds it to be good policy to pay volunteers to enlist for service in the army or navy. This was done at one period in our Civil War. A person who receives money as an inducement to enlist and fails to serve as promised is called a bounty jumper. Various penalties are imposed for the offense.

Bourbons, a name applied to that class of citizens who cling to dead issues and refuse to accept with grace such changes as are inevitable in the advancement of the nation. The term is fast disappearing from our political vocabulary. It had its origin in French history, with the House of Bourbon, which ruled France from 1589 to the French Revolution in 1791. One of the characteristics of members of this House was an obstinate refusal to march abreast of the times; experience taught them nothing.

Breach of the Peace is any minor violation of public order and decency. The term is not applied to any particular offense, but refers to any overt act by which the peace and order of a community are disturbed. Any person who witnesses a breach of the peace may cause the arrest of the offender. Punishment extends no further than a moderate fine or imprisonment in jail for a limited number of days.

Brevet, a military rank conferring honor or distinction in a public manner. In the United States a rank by brevet is given by the President, with the advice and consent of the Senate, for gallant action or meritorious service. A brevet rank gives no right to command in the particular corps to which the officer brevetted belongs; such command or any command above the one previously enjoyed can be exercised only by special assignment by the President. For example, if a Colonel should be appointed Brigadier-General by brevet, he would continue in the duties of the former office, unless it were convenient to pass him to a higher assignment.

Bribery is the offense of attempting to influence by corrupt methods the action of any person engaged in a public duty. To solicit or offer a bribe is a serious offense against the whole public, and, if persisted in, would lead in time to such corruption in the conduct of public affairs as to undermine the Government. A person accepting a bribe is equally guilty with the person who offers it, and his punishment is as great. To constitute the crime of bribery it is not necessary that the proposal agreed upon shall be actually carried into effect; whether it succeed or not, all parties to the transaction are held to be as guilty as though the act were fully consummated. Punishment for bribery is usually by imprisonment as well as by fine.

Brigade, a body of troops, whether infantry, cavalry or artillery, composed of two or more regiments under the command of a Brigadier-General. As a unit of a military organization, the brigade stands in importance above the regiment; an entire army is composed of two or more brigades. See Brigadier-General.

Brigadier-General, an officer in the United States army, fourth in importance in the organization, the higher grades being General of the Army (at present not filled), Lieutenant-General, and Major-General. The Brigadier-General commands a brigade, and is in rank above the Colonel, who commands a regiment. The Brigadier-General holds in the army rank corresponding to that of Commodore in the navy; he has a salary of $5,500, and is retired by law at the age of sixty-four years. In his retirement he receives three-fourths of his former salary. See ARMY OF THE UNITED STATES; BRIGADE; COMPARATIVE RANK IN ARMY AND NAVY.

Brother Jonathan, a term applied to the people of the United States, in a collective sense, just as the name "Uncle Sam" is used to typify the Government. The origin of the term is as follows: General Washington, in command of the Revolutionary armies, turned to his friends continually for help and for sadly needed supplies. One of the men in whom he had greatest confidence was Jonathan Trumbull, at that time Governor of Connecticut. During a discussion of ways and means, Washington suggested that "Brother Jonathan" be consulted. This was done and Trumbull's advice was followed, with gratifying results. The story was told throughout the rank and file of the army, and soon the reply to a request for anything was, invariably, "Ask Brother Jonathan." The phrase became widely used, and "Brother Jonathan" has since been representative of broad-minded, resourceful, successful Americanism.

Bucktails. This name was applied from about 1816 to 1830 to a faction of the Democratic-Republican [q.v.] party, identified with Tammany and opposed to the administration of Governor Clinton in New York. The Bucktails gained the ascendency in the party in 1822, but lost it in 1824. From the circumstance of their wearing in their hats a buck's tail, the insignia of Tammany, the name was derived. See POLITICAL PARTIES IN THE UNITED STATES.

Budget, the annual statement of the finances of a country, State or municipality. In the United States the term is more

strictly applied to the list of the nations' estimated receipts and expenditures which is laid before Congress every two years by the Treasury Department. Upon this list is based the biennial Appropriation Bill. See APPROPRIATIONS.

Bullion, uncoined gold or silver, in mass, ingots, plate, or the like, as distinguished from coin; also, uncurrent coin, such as worn-out or foreign coin, ready for recoining. In discussions on the currency, the term is often erroneously employed to signify both coined and uncoined gold and silver.

Buncombe. Mere talk without aim, or the act of speaking for the gratification of constituents, is called buncombe. It is said the word received this meaning from a remark of a Representative in Congress from North Carolina in 1820; while making a speech in the debates on the Missouri Compromise, he tired the House with his effort at oratory, and when he was asked to desist he asserted that he wished to finish his talk, as he was "making a speech for Buncombe," one of the counties he represented.

By-Law, a local enactment made by a subordinate legislative body. Of this character are many of the ordinances of minor municipal corporations—small cities, towns and villages. In this sense the term is synonymous with ordinances. The rules of private corporations, such as railways, are also called by-laws. All such regulations, whether passed by public or private bodies, have all the force of law when they are enacted under proper legal authority.

C

Cabinet of the President. The President of the United States is named in the Constitution as the head of the Executive Department [q. v.] of the Government. He thus assumes the title and responsibilities of Chief Executive. The adjective implies other Executive officers besides the President, and these are the heads of the great departments into which the Executive branch naturally is divided. The term Cabinet, however, is not mentioned in the Constitution, nor was the Cabinet, as constituted today, contemplated by that instrument.

The head of each Executive division must sustain close relations with its chief, the President, who in the last analysis is alone responsible for the conduct of the whole law-enforcing branch of the Government. It is obvious that the person upon whom such responsibilities are placed should practically be free in his choice of assistants. Such was the conviction of the First Congress, which authorized the appointment by the President of the four Executive Department heads, and time has emphasized the wisdom of the early statesmen. The President therefore appoints the men who are to be his chief advisers; unless a very unwise nomination is made, the Senate, upon whom rests the duty of confirmation of all the President's appointments, never questions his selection; here he is practically without restraint.

The Executive departments during the early years were four in number—the State, War, Treasury, and Law departments; the chiefs in charge were called Secretary of State, Secretary of War, Secretary of the Treasury and Attorney-General, respectively. The business of the young republic soon became so voluminous as to require further divisions of the Executive machinery, and in 1792, the Postoffice Department was authorized, with a Postmaster-General at its head. In 1798 the Navy Department was created, its chief receiving the title of Secretary of the Navy. The next addition to the

list was made in 1849, when the Secretary of the Interior was appointed and given control of the Department of the Interior. From 1849 to 1889, there were no further subdivisions, but in the latter year the Department of Agriculture was organized, under control of the Secretary of Agriculture. In 1903 the ninth member joined the Executive official circle, in the person of the Secretary of Commerce and Labor, chief of the department of the same name. [A description of each department, its bureaus and duties, is given in the regular alphabetical arrangement of subjects.]

Early in the operation of the Government, the President consulted the various heads of his departments only when it was absolutely necessary; they never carried matters to him for discussion or for approval, except upon request. The Executive seldom exceeded the right given by the Constitution, in requiring "the opinion, in writing, of the principal officer in each of the Executive departments, upon any subject relating to their respective offices." With increase in duties and added responsibilities, however, more frequent interchange of opinion became essential, and the President formed the habit of inviting one, two or three of his chiefs together for interviews upon important matters. Naturally, regular meeting days followed in course of time, but not all the Executive heads were participants. The Postmaster-General, for instance, was not invited to join these regular councils until the day of President Jackson.

What is today known world-wide as the President's Cabinet is the development of many years; subordinate officials who one day gave slight heed to their chief now form with him a harmonious, hardworking official family. The President and nine heads of as many Executive divisions now have two regular days of meeting every week, on Tuesday and Friday, around the long table in the Cabinet room of the White House, where they are mutually helpful in solving the problems of Executive control. The members of the Cabinet hold office actually at the pleasure of the President, although appointments are for four years. President Johnson was impeached for attempting to remove one of his Secretaries from office, but later the law shielding

Presidential appointees outside of the civil service lists was repealed [see TERM AND TENURE OF OFFICE].

Upon the Cabinet members rest grave responsibilities outside of the routine work of their departments. By the Presidential Succession Law of 1886, the members are eligible to the Presidency, and more than once but one life has stood between a Secretary and the office of President of the United States. Moreover, instead of being merely in charge of a division of the President's field of action, the members of the Cabinet have come by reason of their high order of ability to be recognized as important officers of an administration. Their deep research into administrative problems gives their opinions great weight with leaders in other departments of the Government.

The salary of a Cabinet member is $12,000 per annum; upon him are placed no age limitations; he must be a citizen of the United States, but he need not be a natural-born citizen. See PRESIDENTIAL SUCCESSION.

California. When in 1822 Mexico became independent of Spain, California, which had been explored and settled by the Spaniards, passed into the control of Mexico. It became thus a dependency of the latter country, and for about a dozen years relations between the two were harmonious. Beginning with 1835 with the death of a popular governor, strife continued until 1845, when the Mexican forces sent north to hold the territory were temporarily defeated. At this time emigration from the States to the east started, and American explorers headed by John C. Fremont captured the town of Sonoma and on July 4, 1846, issued a proclamation declaring California independent, although the movement was not officially recognized by the United States Government. A little later the Mexican War gave the needed and adequate excuse to take possession of California in the name of the United States Government, and on August 15, 1846, it was declared a Federal Territory. A State Constitution prohibiting slavery was approved in 1849, and in 1850 California was admitted as a State of the Union.

Government.—The people of California rejected their first Constitution in 1879, and adopted a second, which is yet in force. The Executive authority is vested in a Governor and Lieutenant-Governor and the Executive offices of Secretary of State, State Comptroller, Treasurer, Attorney-General, Surveyor-General, and Superintendent of Public Instruction, all of whom are chosen for four years and are eligible to re-election. The Legislative Department consists of the State Senate of forty members, elected for four years, half of them retiring at one time, and an Assembly of eighty members elected for two years. Sessions of the Legislature are held biennially, and as no remuneration is given members beyond sixty days of any session, naturally the sessions are limited to that length of time. No bills can be introduced into either House after the fiftieth day of the session, except with the approval of two-thirds of the members. The judicial authority is vested in a Supreme Court, District Courts of Appeal, Superior Courts and Justices of the Peace. The Supreme Court consists of one Chief Justice and six Associate Justices.

Candidate. Usually the words candidate and nominee are used interchangeably, but in the strictest sense they are not synonymous. A candidate is a person who seeks nomination from his party for a public office; if he succeeds in securing a place on the ticket he is then a nominee, subject to election or defeat at the polls. One is a candidate before he is nominated; he is afterwards a nominee.

Cannon Salutes. See SALUTES.

Capital Punishment. The severest penalty a court can pronounce against an offender, a sentence of death, is called capital punishment. The word *capital*, in criminal law, means "pertaining to the head," from the fact that a common early form of execution was by the ax. In past centuries the death penalty was imposed for many lesser infractions of the law, but as nations have advanced in enlightenment the list of offenses so punishable has steadily grown smaller. In England the capital offenses are murder, treason, piracy, and burning ships of war, arsenals, or Government storehouses. Death is ac-

complished by hanging, except, by special decree in cases of treason, the sovereign may order decapitation.

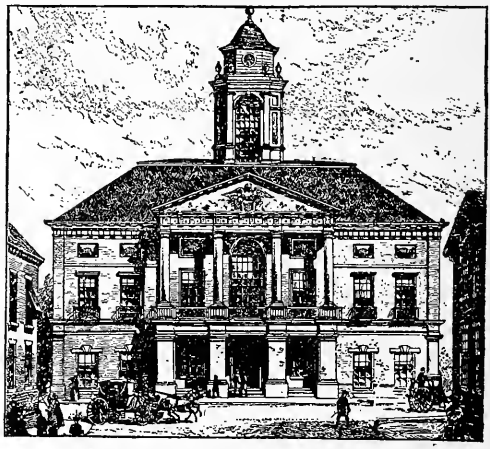
In the United States, under the Federal laws, capital punishment may be inflicted for treason, murder, rape, piracy, and arson. These are for offenses against the officers or property of the Government, and must not be confused with legislation by the various States. The State laws are not uniform, and there never has been any attempt to make them so, for to every State is given the power absolutely to regulate its own internal affairs. Violations of laws passed by the Legislatures are considered from a number of view points, some States going so far as to decree that for no offense, however serious, shall the extreme penalty of the law be inflicted. Michigan abolished capital punishment in 1847, Rhode Island in 1852, Wisconsin in 1853, and Maine in 1886. Only for conviction of murder in the first degree can a person be put to death in Massachusetts, Minnesota, New Mexico, North Dakota, South Dakota, Ohio, Pennsylvania and Washington. For as many as ten crimes the death penalty is operative in Georgia. Capital punishment is by hanging in most States; in New York and Ohio it is by electrocution. Criminologists are in accord in the opinion that electrocution or hanging does not lessen crime.

Capitals of the United States. If it be admitted that wherever the National legislative body has met in session and passed laws, there has been located, even temporarily, the capital of the United States, then this country, since the day of the Declaration of Independence, has had nine different capitals. With the exception of Washington, they are as follows:

Philadelphia, September 5, 1774, to December, 1776.
Baltimore, December 20, 1776, to March, 1777.
Philadelphia, March 4, 1777, to September, 1777.
Lancaster, Pa., September 27, 1777, to September 30, 1777.
York, Pa., September 30, 1777, to July, 1778.
Philadelphia, July 2, 1778, to June 30, 1783.
Princeton, N. J., June 30, 1783, to November 20, 1783.
Annapolis, Md., November 26, 1783, to November 30, 1784.
Trenton, N. J., November 30, 1784, to January, 1785.
New York, January 11, 1785, to June, 1790.

The seat of Government was then moved to Philadelphia, to remain ten years, after which it was to be permanently located on land to be ceded by Maryland and Virginia, on the Potomac River. When the cession was made, Congress returned Virginia's gift, as the ten square miles ceded by Maryland, lying all on one side of the Potomac, was thought to be ample for Government purposes for all time to come. In 1800, Washington became the National capital.

New York might have become the capital city but for the objection of agricultural members of Congress, who feared the influence of the commercial interests of the metropolis upon legislation. Southern members deprived Philadelphia of the honor because of their hostility to Quaker influence. The frequent changes of headquarters during the Revolutionary War were due to the dangerous proximity of British soldiers.



FEDERAL HALL, NEW YORK, 1789.

Capitation Tax, a tax levied on the individual as a unit in the citizenship of a community; a poll tax. Such a tax, if assessed, is a direct tax, and is paid by every male citizen twenty-one years of age and over, regardless of additional taxes levied upon his property holdings. Congress has power to levy a capitation tax based upon the Federal census, but it has never been done; the principle has been entirely local in its application. See POLL.

Cap of Liberty. The liberty cap is of Phrygian origin. The Phrygians were a people from the shores of the Euxine Sea, and

they conquered and took possession of the entire eastern part of Asia Minor. To distinguish themselves from the natives, the conquerors wore a close-fitting cap and had it stamped on their coins. The Romans took the fashion of wearing caps from the Phrygians, but they were only worn by freedmen. When a slave was set free, a small red cap was placed upon his head, and the man so adorned was thereafter recognized in law as a freedman. The liberty cap was first introduced into the United States in the Great Seal design of 1776. It finally became officially the head covering of Columbia [q. v.], the "Goddess of American Liberty." See LIBERTY CAP CENT.

Captain [MILITARY], the officer in command of a division of a regiment, called a company. In rank, the Captain is below a Major and above a First Lieutenant. The grade in the navy corresponding to this army title is Lieutenant. The pay of a Captain is at first $1,800; it increases ten per cent every five years until a maximum increase of forty per cent is reached. Upon retirement at the age of sixty-two, the salary for life is three-fourths the annual amount received in the last year of active service. See COMPARATIVE RANK IN ARMY AND NAVY.

Captain [NAVAL], the highest rank among a ship's officers in the navy of the United States and in most European countries. The four grades above Captain are fleet officers, and are Admiral, Vice-Admiral, Rear-Admiral and Commodore, respectively. The rank next below Captain is Commander. The pay of a Captain is $4,500 on sea duty, $3,500 on shore duty, and $2,800 when on leave of absence or while awaiting orders for service. At the age of sixty-two he retires on three-fourths' sea-duty salary. See COMPARATIVE RANK OF ARMY AND NAVY.

Carpet=Baggers. After the close of the Civil War, many Northern men went South for the unacknowledged but actual purpose of assuming an active part in politics. They located in the Southern States only long enough to gain a residence before applying for and receiving appointments to Federal offices. The Southern whites resented this activity and claimed that the Northerners were interlopers, carrying all their effects in their carpet-bags. From the known fact that but few of

these new citizens intended to settle permanently in the South, they were called carpet-baggers.

Cartel, an agreement entered into between two nations at war, relating to the methods of carrying on certain details of the conflict, such as the exchange of prisoners, establishment of boundaries of neutral ground, continuance of postal communication, etc. Cartels for the exchange of prisoners are the most common, and are usually conducted by the home Governments, although generals in the field may often treat directly with each other. An exchange of prisoners is beneficial to each side, which thereby recovers its own men and saves the expense and trouble of guarding and feeding its captives. In making exchanges, the rank of prisoners is carefully considered, those of equal rank being traded man for man.

Cartel Ship. One used in exchanging prisoners, or as a dispatch boat, dealing with the enemy under a flag of truce.

Casus Belli, a Latin phrase meaning "a reason for war." No war is begun before the belligerents announce the reasons which force them into conflict. The causes assigned are not always accepted by the world as morally sufficient, but the nations have not yet decided what shall be considered ample justification.

Caucus, [a] a formal meeting of voters of one political faith for the purpose of nominating men as delegates to a political convention which has been called for a specific work; [b] a meeting of the members of one political party in a Legislature or in Congress, to discuss special measures and determine what united party action shall be taken relative to them.

The origin of the word is obscure. John Pickering, the author of "Vocabulary of Words Peculiar to the United States" [1816], assumed that the word is a corruption of caulkers, a term applied in derision to those who attended political meetings in Boston at the time of ill feeling between the citizens and the British troops, before the first guns of the Revolution were fired. Sailors and laborers in shipyards largely attended these meetings, hence the application of the nautical term. If this explanation is to be accepted as the origin of the term, it is

apparent that since it was first used there has been more change in the form of the word than in its meaning. The term is now applied to any partisan political assembly called for the purpose of determining the will of the majority. In every caucus the majority rules, and all members are bound by the action imposed by the majority vote. Thus it is possible to meet with united party action the onslaughts of the opposition forces.

Cavalry, one of the three classes of troops composing the fighting units of an army, the others being infantry and artillery. The cavalry branch is composed of mounted troops, all of whose evolutions are on horseback. When employed to best advantage, cavalry becomes very formidable in offensive operations, because it is able to move very quickly, thus enabling a commander to take almost instant advantage of disorder in the ranks of an enemy. In any operation requiring speed and prompt action, such as intercepting supplies, procuring intelligence regarding the movement of troops, foraging, etc., cavalry is absolutely necessary. Officers and men in cavalry regiments are usually armed with sabers and pistols, and sometimes with carbines. In the United States army, by authority of the act of 1901, there are fifteen regiments of cavalry, averaging 850 officers and men, 180 troops of cavalry of seventy officers and men, and fifteen regimental bands.

In European countries, mounted troops are commonly divided into heavy cavalry and light cavalry, and these are further designated as cuirassiers, dragoons, hussars and lancers, according to weight and equipment. See INFANTRY; ARTILLERY.

Censure of the President. Only three times in the history of the United States has Congress passed resolutions of censure against the President of the United States. In but one case was the majority responsible for the charges strong enough to vote impeachment. The two cases of censure which lacked support sufficient to impeach involved Presidents Jackson and Tyler. The first vote was passed by the Senate in 1834, censuring Jackson for alleged violation of law and of the Constitution, because he removed Government funds from the

United States Bank. After three years of more or less heated discussion, the Senate in 1837 expunged the resolution from its records. The second case occurred in 1842, when the Senate reprimanded President Tyler for improper use of his veto power in connection with the tariff bill. Tyler was a Senator when the vote against Jackson was taken, and he had cast his influence against the President during the three years' strife. This fact doubtless prompted the later trouble. For the third attack against the President by way of censure, see IMPEACHMENT.

Census, an official numbering of all the people in a country or district, including statistics of age, nativity, sex, occupation, property, cost and manner of living, value and kinds of manufactured products, etc.

The Constitution of the United States provides for a National enumeration every ten years; it ordered that within three years of the assembling of the First Congress, the first should be taken; in 1790 the work was completed, under Congressional auspices. In this census it was provided that free persons were to be distinguished from slaves; Indians were to be excluded from the count; males over sixteen were to be distinguished from those under that age. In 1810 the enumeration was conducted along practically the same lines, but in 1820 a step forward was taken. In that year the enumerators were required to add data showing the number of persons engaged in manufactures, commerce and agriculture. In 1830 the number of deaf, dumb and blind persons was included, but the statistics on manufacturing, commerce and agriculture were omitted.

Not until 1850 was census-taking brought to anything like its present state of efficiency. The census bureau was then placed under the newly-created Department of the Interior, and the enumeration included for the first time complete classification of the people. The returns showed the age, sex, color; the deaf, dumb, blind; insane, idiots, paupers; free and slave; and the number drawing pensions, with their names and ages. There were statistical tables of mining, agriculture, commerce, manufactures and schools; tables giving the number of bushels

of grain of every kind, and of potatoes; tons of hay and hemp, pounds of cotton and tobacco, and the value of all dairy products. Every census since 1850 has added materially to the list of items, and today the complete reports for one census fill more than a dozen large volumes.

The table below gives figures showing the growth in population since 1790:

Date.	Total Population.	Per Cent of Increase.	Sexes per 1,000 Population.		Urban Population.	Per Cent. of Urban population to Total.
			Male.	Female.		
1790.....	3,929,214	.....	509	491	131,472	3.35
1800.....	5,308,483	35.11	512	488	210,873	3.97
1810.....	7,239,881	36.40	510	490	356,920	4.93
1820.....	9,633,822	33.06	508	492	475,135	4.93
1830.....	12,866,020	33.55	508	492	864,509	6.72
1840.....	17,069,453	32.67	509	491	1,453,994	8.52
1850.....	23,191,876	35.86	511	489	2,897,586	12.49
1860.....	31,443,321	35.58	511	489	5,072,256	16.13
1870.....	38,558,371	22.63	507	493	8,071,875	20.93
1880.....	50,155,783	30.08	510	490	11,318,547	22.57
1890.....	63,069,756	24.85	511	489	18,235,670	29.12
1900.....	76,303,387	21.00	512	488	25,031,505	32.90

The density of population, showing the number of people to each square mile in all the States, appears in the following table. The compilation is from the census of 1900:

State or Territory.		State or Territory.		State or Territory.		State or Territory.	
Alabama.....	35.5	Indiana....	70.1	Nebraska....	13.9	South Carolina.	44.4
Alaska.....	1	Indian Ter..	12.6	Nevada.....	.4	So. Dakota....	5.2
Arizona.....	1.1	Iowa.....	40.2	N. Hampshire	45.7	Tennessee.....	48.4
Arkansas.....	24.7	Kansas.....	18.0	New Jersey ..	250.3	Texas.....	11.6
California....	9.5	Kentucky...	53.7	New Mexico .	1.6	Utah.....	3.4
Colorado.....	5.2	Louisiana...	30.4	New York ...	152.6	Vermont.....	37.6
Connecticut...	187.5	Maine.....	23.2	No. Carolina..	39.0	Virginia.....	46.2
Delaware.....	94.3	Maryland...	120.5	No. Dakota ..	4.5	Washington...	7.7
D.of Columbia	4,645.3	Massachusetts	348.9	Ohio.....	102.0	W. Virginia...	38.9
Florida.....	9.7	Michigan....	42.2	Oklahoma....	10.3	Wisconsin.....	38.0
Georgia.....	37.6	Minnesota...	22.1	Oregon.....	4.4	Wyoming.....	.9
Hawaii.....	23.9	Mississippi..	35.5	Pennsylvania.	140.1		
Idaho.....	1.9	Missouri....	45.2	Rhode Island	407.0	United States.	26.6
Illinois.....	86.1	Montana....	1.7				

Cent, the smallest coin, of copper, issued by the United States Government, the one-hundredth part of a dollar in value. Two one-cent pieces equal in value the English penny, one cent being equal to two farthings, or one half-penny. The cent weighs forty-eight grains, contains ninety-five per cent copper and five per cent tin and zinc, and is legal tender for all debts not exceeding twenty-five cents. Gouverneur Morris of

Revolutionary days deserves the credit for the introduction of our decimal system of money, and for the popular acceptance of the word *cent*, which had previously been but an abbreviation of *centum*, or *cento*, meaning hundred. See CURRENCY; LEGAL TENDER.

Center of Population. In the *Statistical Atlas*, a Government publication, the center of population is defined as "the point at which equilibrium would be reached were the country taken as a plane surface, itself without weight but capable of sustaining weight, and loaded with its inhabitants, in number and position as they are found at the period under consideration, each individual being assumed to be of the same gravity as every other, and consequently to exert pressure on the pivotal point directly proportioned to his distance therefrom." In short, it is the center of gravity of the population of the country. The center of population has steadily advanced toward the west, but there has been only a very slight variation from north to south. The table below explains the locations by decades:

Census Year.	North Latitude.	West Longitude.	Approximate Location by Important Town.
1790	39° 15′ 5″	76° 11′ 2″	Twenty-three miles east of Baltimore, Md.
1800	39° 16′ 1″	76° 56′ 5″	Eighteen miles west of Baltimore, Md.
1810	39° 11′ 5″	77° 37′ 2″	Forty miles northwest by west of Wash., D. C.
1820	39° 5′ 7″	78° 33′ 0″	Sixteen miles north of Woodstock, Va.
1830	38° 57′ 9″	79° 16′ 9″	Nineteen miles west-southwest of Moorefield W. Va.
1840	39° 2′ 0″	80° 18′ 0″	Sixteen miles south of Clarksburg, W. Va.
1850	38° 59′ 0″	81° 19′ 0″	Twenty-three miles southeast of Parkersburg, W. Va.
1860	39° 0′ 4″	82° 48′ 8″	Twenty miles south of Chillicothe, O.
1870	39° 12′ 0″	83° 35′ 7″	Forty-eight miles east by north of Cincinnati, O.
1880	39° 4′ 1″	84° 39′ 7″	Eight miles west by south of Cincinnati, O.
1890	39° 11′ 9″	85° 32′ 9″	Twenty miles east of Columbus, Ind.
1900	39° 9′ 36″	85° 48′ 54″	Six miles southeast of Columbus, Ind.
1910	.....	.....	

The center of area of the United States, excluding Alaska and Hawaii and other recent accessions, is in northern Kansas, in approximate latitude 39 degrees, 55 minutes, and approximate longitude, 98 degrees, 50 minutes. The center of population is therefore about three-fourths of a degree south and more than thirteen degrees east of the center of area. See POPULATION.

Certiorari. A legal writ issued by a Superior court (a State Supreme Court, for instance) addressed to an inferior court (a Circuit Court in the same State, for example), directing that a certified copy of the proceedings of a certain appealed case be sent up to it for review. The writ is issued only when the record which accompanied the appeal is in some respects defective. The lower court must honor the writ.

Cession of Territory, a term which means the transfer of territorial possessions from one country to another, details of which have been arranged by treaty. The considerations under which territory changes ownership are [1] purchase and sale, as a matter mutually benefiting both contracting countries; [2] voluntary annexation; [3] transfers growing out of demands for war indemnities. Forcible seizure could not be called cession.

In United States history, all three considerations have prevailed. By far the most important territorial cession to this country was the Louisiana tract, acquired by purchase; Hawaii sought and secured annexation; the latest cessions to us were the Philippine Islands and Porto Rico, both the result of the Spanish-American War. Other outlying territory is Alaska, the Sandwich Islands, Guam, etc., each of which sustains Territorial relations with the general Government. Within the geographical limits of the American Union is other territory which is the property of the United States; namely, Arizona and New Mexico. Congress is charged with legislation for these Territorial dependencies; it may develop them with a view to ultimate Statehood, or it may dispose of any or all of them to any other nation. In connection with the Territories at home, this may seem a bold and unwarranted assertion, although more reasonable when applied to remote possessions. However, distance from the centers of population in no way alters the case; territory of the United States includes all areas not States of the Union, and such areas are considered simply as property of the Union [See Article IV, Section 3, of the Constitution] and may be disposed of in any manner Congress may decide upon. Congressional action affecting territory

always reflects popular sentiment, and this sentiment links the home Territories to the States with ties so strong that there is no probability that they will ever be severed. What feeling will eventually crystallize with respect to outlying dependencies will be determined largely by our success in governing them. Transfer of ownership to the United States has never meant that full citizenship is at once bestowed upon all people living within the newly acquired territory. Equal property and religious rights are at once guaranteed, but the higher obligations and privileges of citizenship and participation in government may be withheld.

Challenge, an exception taken against a person in his capacity of juror in a case at law, or against a voter. In case of a juror, an attorney on either side of a controversy may object to the services of an entire jury of twelve men, in which the act is a *challenge to the array;* he may object to the acceptance of one man on a ground which legally disqualifies the juror, and this is called a *challenge for cause;* or he may demand the removal of a juror without assigning any reason, which power, however, is limited to a definite number of such objections, and is called a *peremptory challenge.* In each of these instances the decision rests with the presiding judge.

In case of a voter, any legally qualified elector may question before the regularly constituted board of elections the legal right of any man to vote. In such event the suspected person must depart from the polling place without casting his ballot, or he must precede the act of voting with a form of oath prescribed by the State statutes, fully covering the question at issue.

Change of Venue. See VENUE.

Charge d' Affaires. In the absence of an Ambassador or Minister from his post, the officer left in charge of the legation is called the Charge d' Affaires. Also, in case no regular minister of higher rank is accredited to a country, a diplomatic agent of this name is frequently placed in charge of his country's interests in the foreign capital. The Charge d' Affaires is fourth in diplomatic rank, the three higher grades being Ambas-

sador, Minister Plenipotentiary and Envoy Extraordinary, and Minister Resident. See DIPLOMATIC SERVICE.

Charter. [a] In its most general significance, a charter is a Government permit, in writing, extending over a period of years, under which a corporation may engage in a specified business under nominal official oversight. A charter may be granted by special Legislative act, but in most States the Legislatures have passed general laws on the subject under which the State officials grant charters to those whose applications conform to the legal requirements. These laws in certain States are very strict and in others are too weak properly to safeguard public interests. A business house in any part of the country may apply for a charter in any State of the Union whose laws seem to them most favorable; the new corporation may engage in business in the city of its choice, but must maintain nominal headquarters within the boundaries of the State issuing the charter. Every charter states the legal name of the operating company, names the amount of capital stock, the number of shares and par value of each share, the kind of business which may be carried on, the limit of indebtedness permitted, etc., and it provides for reports at regular intervals to the authorities of the State granting the charter, by which any violation of charter privilege may be discovered.

[b] When any community becomes populous enough to sustain self-government in affairs purely local, it applies to the State Government for permission to organize into a corporate village; if its later growth warrants added privileges, it applies for a new permit and becomes a city. The charter under which either operates is in reality a local Constitution [See VILLAGE; CITY]. The Constitution of the United States is virtually a great charter establishing a gigantic corporation under which the Union of the States is perpetuated.

[c] In former times, the name was given to those formal deeds by which sovereigns granted certain governmental powers to the people in their colonies; such were called Royal Charters. Nearly all the colonies on the South Atlantic seaboard were charter colonies.

Chattel, any article of personal property, of a movable nature. The term includes everything that may be classed as goods, and much more. Therefore, a bond or promissory note is a chattel, but not goods. So, too, a leasehold of real estate, for a definite and determinable period, being less than a freehold, is a chattel.

Chattel Mortgage. A conditional transfer of movable property, to secure payment of a debt. Actual transfer of possession from debtor to creditor does not occur unless the conditions of the mortgage are not satisfied.

Checks on Government. The Government of the nation or of a State is a vast business organization, requiring the most careful adjustment of official duties and responsibilities. Great disaster might overwhelm the country if each of the three departments of Government, Legislative, Executive and Judicial, were permitted to exercise authority without restraining influence. The Constitution places checks upon the action of each department, by which each shares in practically every act of Government. Neither House of Congress can override the other in the law-making function. The Senators, by reason of their six-year term and the fact that they are not dependent upon the votes of the people for their positions, are less likely to be influenced by popular clamor than the members of the House of Representatives; so they serve as a check upon hasty or ill-advised action by the numerically larger House. On the other hand, the House undeniably reflects the popular will, the day-by-day sentiment of the masses, in a way the Senate does not. Therefore, it is well that the House has power to crush any tendency the Senate may show in the direction of legislation which is in defiance of popular principles as interpreted at the time by the majority of the people. The President, with the power of veto, stands between the people and vicious legislation; however, he may be misinformed or misguided, and in such event cannot prevent legislation for which there is an overwhelming demand. Congress, by a two-thirds' vote of each House (not by a two-thirds' vote of members present and voting), may pass any bill over the President's

veto. Should the President fail to execute the laws, or bring reproach upon his high office, the House of Representatives may impeach him, and the Senate will sit as a jury to try the case. Finally, the Judicial Department—the Supreme Court—may pass upon the constitutionality of any law approved by the Legislative Department and by the Executive. No law can remain on the statute books if it is declared by that highest court to violate the letter or the spirit of the Constitution.

Cheeseparing, an ill-chosen word which cannot now be traced to its source, used to characterize a false economy in public affairs, by which a saving is effected in cases where entire justice would demand greater liberality. The sums thus saved are usually small and a larger amount is frequently lost through service thus rendered inefficient.

Chief Justice (STATE SUPREME COURT). The Chief Justice of the Supreme Court of any State is elected to office simply as a Judge of the Court and through seniority becomes Chief Justice. For example, if five members constitute the court, the term of each is usually fixed at ten years, one member retiring every second year. During the last two years of a member's service he presides as Chief Justice. While this is not the invariable rule, it is the Constitutional provision in nearly all the States.

Chief Justice (UNITED STATES), the title given to that Justice of the Supreme Court of the United States who is its presiding officer. He is highest in authority on matters regulating practice before the court, but in rendering decisions he has no influence greater than that wielded by the Associate Justices [q. v.]. In only one instance has he duties more important than fall to the lot of his fellow-members. If the President of the United States is impeached, the Chief Justice sits as presiding judge, with the members of the Senate as the jury. The Chief Justice is appointed to his position by the President of the United States, subject to the approval of the Senate. He need not previously have been an Associate Justice and by advancement secure his elevation to the post of Chief Justice. In fact, no President except Washington has

ever named one of the Associate Justices to fill the position. The appointment is for life, with the privilege of salaried retirement at the age of seventy, if he has served ten years. The salary for active service is $13,000; on the retired list, $12,500.

The following is a list of the persons who have served as Chief Justice, with the dates of appointment:

John Jay, of New York, September 26, 1789.
John Rutledge, of South Carolina, July 1, 1795.
Oliver Ellsworth, of Connecticut, March 4, 1796.
John Marshall, of Virginia, January 31, 1801.
Roger B. Taney, of Maryland, March 15, 1836.
Salmon P. Chase, of Ohio, December 6, 1864.
Morrison R. Waite, of Ohio, January 21, 1874.
Melville W. Fuller, of Illinois, July 20, 1888.

John Jay received a second appointment in December, 1800, but declined to accept it. He had resigned to accept a diplomatic engagement, and upon his return home had preferred retirement to private life.

William Cushing, of Massachusetts, an Associate Justice of the Supreme Court, was appointed in January, 1796, but declined the honor, preferring the position he then held.

George H. Williams, of Oregon, and Caleb Cushing, of Massachusetts, were both appointed in 1873 and both were rejected by the Senate. See ASSOCIATE JUSTICE; SUPREME COURT.

Circuit, the name applied to a division of territory for judicial purposes, both Federal and State. The presiding officers of the courts are called Circuit Judges (State) and Judges of the United States Circuit Courts (Federal). The boundaries of State circuits are fixed by the State Legislatures; of United States circuits, by Congress. See CIRCUIT COURT; JUDICIAL SYSTEM.

Circuit Court (STATE). For judicial purposes, each State is divided into circuits, of one or more counties each, according to population. Each circuit maintains as many Circuit Courts as the number of counties composing it. One Judge is elected for the whole circuit, and each county in the circuit is entitled

to at least two sessions of court every year. The Circuit Judge travels from county to county for the purpose of holding court. If the volume of business is too great for one Judge to dispose of, additional Judges are provided temporarily for the circuit; or, if practicable, the State is redistricted and the number of circuits increased. Cities may have from two to twenty or more Circuit Judges, as required. The salary and term of office varies in the different States; seldom is the term longer than six years or shorter than four, and the salary is usually not as low as $2,000 per year.

Circuit Court (UNITED STATES). The laws of Congress provide for the following grades of courts for Federal judicial purposes, below the Supreme Court, which was established as the head of the Judicial system by the Constitution: [1] the United States Circuit Courts; [2] the United States District Courts. See JUDICIAL SYSTEM.

The whole country is divided into as many parts as there are members of the Supreme Court, which number is at present nine. Each of these territorial divisions, comprising several States, is called a Circuit, and over each a Justice of the Supreme Court exercises certain control [See CIRCUIT COURT OF APPEALS]. The regularly appointed Circuit Courts are presided over by United States Circuit Judges, twenty-six in number, at present, who are appointed by the President for life, and who receive salaries of $7,000 each. The cases coming under their jurisdiction are confined to those in which the United States is a party and those decreed by the Constitution as coming within the province of Federal authority. Each Circuit Court is an appellate court [q. v.] for the United States District Courts, embraced within its territory, and is also a court of original jurisidction [q. v.]. All cases may be appealed from it to the United States Court of Appeals and to the Supreme Court at Washington, with certain limitations. The States comprising the nine circuits are as follows:

1. Maine	Rhode Island	New York
New Hampshire	2. Vermont	3. New Jersey
Massachusetts	Connecticut	Pennsylvania

3. (*Continued*)
Delaware
4. North Carolina
South Carolina
Maryland
Virginia
West Virginia
5. Georgia
Florida
Alabama
Mississippi
Louisiana
Texas
6. Ohio
Michigan
Kentucky
Tennessee
7. Indiana
Illinois
Wisconsin
8. Minnesota
Iowa
Missouri
Arkansas
Nebraska
Colorado
Kansas
Wyoming
North Dakota
South Dakota
Utah
New Mexico
Oklahoma
9. California
Oregon
Nevada
Washington
Idaho
Montana
Alaska
Arizona
Hawaii.

Circuit Court Commissioner, a semi-judicial officer of a county in many States. When the Circuit or County Court is not in session, it is convenient always to have present in the county offices a person possessed of certain limited powers of a judge, who will have jurisdiction in relatively unimportant matters. This officer may grant a writ of attachment or a writ of *habeas corpus,* and perform other like duties, such as would fall to the lot of the Judge of the court during sessions.

Circuit Court of Appeals. There are nine Federal Judicial Circuits in the United States, each comprising several States. In these Circuits United States Circuit Courts hold regular sessions, and inferior to them are a number of United States District Courts. From each of these courts many cases are appealed, and so great is the burden upon the next higher tribunal, the Supreme Court, which is frequently more than two years behind its docket, that Congress has authorized the organization of an appellate court within each Circuit, and has decreed that only certain cases can be sent above it on appeal to the Washington court. This appellate court has been named the United States Circuit Court of Appeals, and there is one for each of the nine Judicial Circuits. Each of the nine Justices of the Supreme Court is assigned to a circuit, so that the highest tribunal may still be closely connected with the appellate court. Once a year each Justice leaves Washington and enters his assigned district. He calls two local Judges

of the Circuit Courts or District Courts to sit with him and the three form the Court of Appeals. They hear appeals from the Federal Courts of the circuit, and their judgment is final in all except the most important cases, which may be reviewed by the full bench at Washington. See JUDICIAL SYSTEM.

Circuit Judge, the presiding officer of a Circuit Court in a State judicial system; also, the same officer in the Circuit Court of the Federal judicial system, except that the title in the latter instance is United States Circuit Judge. The former is chosen by the people of his judicial circuit for a term of years, while the latter is appointed by the President and holds his position for life, or during good behavior. See CIRCUIT COURT, STATE and UNITED STATES.

Citess, the feminine form of the word citizen; a female citizen. Another form sometimes used is citizeness. Some authorities would deny us the right to use either word, on the ground that citizenship knows no sex distinctions. However, there are instances in constitutions and laws in which the rights of "male citizens" and "female citizens" are sharply contrasted. See CITIZEN.

Citizen, one who owes allegiance to a country which is republican in form, who is entitled to the fullest measure of protection from it, and who shares with his peers the responsibility of government, either direct or through delegated authority. A State has aptly been defined as a community of people living within certain territorial limits. The word citizen may be further defined as a member of such a community who is entitled to all the rights and privileges of any other member. The term had little meaning in modern times until the English colonists in America ceased to be "subjects" and each newly created American became a political unit in a sovereign State. See CITIZENSHIP; CITESS; RESIDENT; INHABITANT.

Citizeness. See CITESS.

Citizenship, the status of a citizen, with all its rights and privileges. The right of citizenship must not be confused with the right of suffrage and with the right of participation

in affairs of Government. Contrary to widespread belief, citizenship does not necessarily imply the right to vote at elections. The Fourteenth Amendment to the Constitution declares that "all persons born or naturalized in the United States and subject to the jurisdiction thereof are citizens of the United States and of the State in which they reside." Thus, females and children possess equally with males the rights of citizenship. In the States of Colorado, Idaho, Utah and Wyoming adult women share with men every political right. Minor children of duly naturalized parents receive citizenship by the act which naturalizes the parent. A child born abroad of American parents is deemed a natural-born citizen.

It is stated above that with certain restrictions every man, woman and child is a citizen of the United States and of the State of residence. It may happen that in removing from one State to another one loses his State citizenship temporarily, but he is safe in the continued possession of his broader National citizenship, even if he lives abroad for a long term of years. Only by renunciation and swearing allegiance to a foreign ruler does he cease to be an American citizen.

The various States declare by statute the length of residence necessary to entitle one to the full rights of State citizenship. See QUALIFICATIONS OF VOTERS.

City, a densely populated political division of a State, organized under general or special Legislative acts, to provide suitable means of local self-government.

A city is but a village of larger growth, and the village, in turn, has its beginning in a centralizing of the commercial interests of a rural section. The rural community's needs are only such as are common to the whole township, and no special legislation is needed for it. The population of a rural district is so scattered that improvements intended for the convenience of those in one section cannot be shared by others; therefore, taxation for the maintenance of a public enterprise which would really benefit only private interests would be unfair to the majority. Eventually, around a prominent four-corners the commercial activities of a large district center. The population

increases from a few dozen to as many hundreds; sidewalks become a necessity, street lights are demanded, and money for various other enterprises is needed. However, no matter how centrally this ambitious settlement is located, it cannot ask the whole township to spread a tax to provide these improvements. The small town itself must pay its own way, and it takes the first step in this direction by applying to the State for a charter. This instrument incorporates the village, locates its boundaries, places a limit upon its right to go into debt, names its administrative officers, etc.

Under the stimulus of natural advantages and wise administration, the population of the village may increase from hundreds to thousands. Then a system of sewers is required, paving is needed, improved street lighting is called for; much of this is impossible to secure under the limitations of the village charter. These conditions make a more complex organization imperative and a city charter is sought from the Legislature. This new charter divides the city into election districts, called wards, each of which sends two aldermen to the City Council, its Legislative department. Executive and Judicial departments are provided for, the Mayor being chief officer of the former, city courts for trial of offenses against the municipality representing the latter. In some States the city courts are not considered essential, their functions being delegated to such Justices of the Peace of the township as are conveniently located. It may be stated, in passing, that in its growth to metropolitan proportions, the city never fully severs its political connection with the township in which it is located; it votes with the township on certain matters in common.

The officers of a city, as usually named in its charter, are as follows:

Mayor—Chosen by the whole city for a term of one year or more.
City Clerk—Same.
City Treasurer—Same.
City Assessor—Same.
Aldermen—Two elected from each ward for the term of two years, one retiring each year.

Superintendent of Streets, or Street Commissioner—Elected by all the people for a term of one year, or appointed by the Mayor, with the approval of the Board of Aldermen.

Chief of Police—Same as above.

Chief of Fire Department—Usually appointed by the Mayor for one year, with the approval of the Board of Aldermen.

The Mayor also sends to the City Council the appointments for City Attorney and all minor boards. If a city court is maintained, the Judge who presides over it is always elected by the people for a term varying in length from one to four years. The Mayor, as chief Executive officer, is charged with enforcing the laws passed by the City Council, and he supervises the conduct of the lesser Executive officers. He is the presiding officer at meetings of the Council and as occasion requires he gives that body his opinion as to needed legislation.

The Board of Aldermen decide how money to meet the city's expenses shall be raised, and they apportion it later to the various funds; they are empowered to borrow money when necessary and pledge the city's revenues for payment. The erection of public buildings and other public works; regulations to secure public order and safety; the creation of new offices permitted by the charter; fixing the salaries of officers—all these matters are determined by the aldermen sitting as the City Council. The City Clerk is the secretary of the Council; he keeps all the records of the city, issues licenses, etc. The City Attorney drafts all legal instruments required in the conduct of the city's affairs; acts as attorney for the city in all court proceedings directed against the city, and gives legal advice to any officer of the municipality, upon request. The duties of all other officers are sufficiently explained in their titles.

The Legislative acts of the Board of Aldermen are called ordinances; these vary in number and extent, according to the city's needs. The ordinances enter into minutest details in their regulation of the city's affairs, such as maintaining the school system; insuring precaution against fires; punishment of vagrancy; obstruction of streets and sidewalks; construction of sewers; opening and maintenance of streets; the sale of meats, vegetables, etc. It is advised that the reader secure a

copy of the charter of the nearest city or village for careful study.

Civics is the science which treats of citizenship and of the relations of a citizen to his Government. The subject, without abridgment, treats of [1] civil policies, or governmental methods; [2] the machinery of government; [3] those applications of law most directly affecting the interests of society; [4] economics, or the laws of wealth and exchange; [5] history of the development of civil liberty; [6] ethics, or the doctrine of one's duties to society.

Civil Action. See CIVIL CASE.

Civil Case, any suit or action at law between persons in their private capacity, in which the rights of either or both may be legally defined and established. The word civil is from the Latin *civilis*, meaning citizen. A civil suit does not involve prosecution for crime, so the State is not represented on either side of the controversy. See CRIMINAL CASE.

Civil Death, the extinction by law of a man's civil rights. A criminal sentenced to the extreme penalty of the law suffers civil death at the moment the sentence of the court is passed upon him. Imprisonment for life is in effect civil death; unless executive clemency intervenes, it becomes such in fact.

Civil Laws, those laws which the people of a State or nation establish to govern their relations with each other in the purely private affairs of life. Some authorities make no distinction between civil law and criminal law, on the ground that they are both citizen-made statutes.

Civil Liberty, the liberty of each individual to conduct his own affairs in his own way; in the exercise of this right, however, he is subject to such legal restraint as will make him recognize the liberties and rights of others. See PERSONAL RIGHTS.

Civil List, in the United States, that part of the Government's revenues which is appropriated for the salaries and expenses of civil officers. In Great Britain and other monarchies the civil list comprises the appropriations for the support of the royal House.

Civil Rights, those rights that an individual may claim in his community, touching property, marriage, and the like. The law places all responsible citizens on a basis of absolute equality in all civil matters; those things which one may legally do are the privilege of all.

Civil Rights Bill, an act passed by Congress in 1866, over the President's veto, with the protection of Southern negroes as its object. It decreed all persons born in the United States, except Indians, and not subject to a foreign power, to be citizens of the United States, enjoying the same rights as white citizens, including the right to hold property, to make contracts, etc. Thus far it foreshadowed the Fourteenth Amendment, which was proposed the same year but failed to become a part of the Constitution until 1868. Added features were as follows: A violation of the rights mentioned in the act was made a misdemeanor, and to assure proper punishment the Federal authorities were given exclusive jurisdiction in all cases; the President was empowered to send United States officers into any State where violations were reported, and to use the armed forces of the National Government to enforce the act. The law created much ill-feeling and was repealed in 1875, so far as its operation in the States was concerned, Congress believing that the Fourteenth Amendment offered sufficient protection to the colored population. It is still in force in the District of Columbia and in the Territories.

Civil Service. The civil service of the United States is a name applied to the official service performed by all employes of the Government, except in the military and naval branches. As practically applied to the affairs of the various great departments, the term refers more especially to the appointive offices than to those filled by election, and excludes judicial positions as well as officers of the army and navy.

The Civil Service Act was passed in 1883, during the administration of President Arthur. Its title names its object—"To regulate and improve the civil service of the United States." Provision is made for the appointment by the President of three Civil Service Commissioners, for terms of six

years each, at annual salaries of $3,500 each, a Chief Examiner at $3,000 and a Secretary at $2,500. It is the duty of the Commissioners to render aid to the President in the consideration of means by which the Government clerical service may be improved; to conduct all competitive examinations for positions, and to make all rules by which such examinations shall be held; to announce the names of successful contestants; to appoint such accredited persons to vacancies, as they may occur; to consider charges against civil service appointees and dismiss them for sufficient cause only, and to make investigations and report to the President upon all matters touching the enforcement of civil service rules and regulations. The Commission sits permanently in the city of Washington.

Extent of the Service. There are regularly employed in the civil service of the United States nearly 200,000 persons of both sexes; in 1908 only about 125,000 of these had passed by proclamation under the protection of the Civil Service Act. Thousands more will be transferred for the good of the service as the years pass, although there are many positions of a confidential nature where indefinite continuation in office is not considered to be for the good of the service. When a new head of a department enters office, he should be permitted to surround himself with confidential advisers of his own political faith, who will be in sympathy with his policies. Some of the positions which will probably never be transferred to the Commission's care are the private secretary and confidential clerks of the President and of the heads of each of the nine Executive departments; attorneys in the Department of Justice, who are charged with the prosecution of cases before the courts; one assistant postmaster or chief clerk at every Presidential postoffice; one cashier for each postoffice of the first class. In the Internal Revenue Service, one principal cashier and one deputy collector in each collection district are now unprotected and there are reasons why they will doubtless remain so. In the Executive lists the very large number of officers named by the President and confirmed by the Senate are properly exempt from the operation of the Act. They

include members of the Cabinet, assistant secretaries and bureau chiefs close to the department heads, ambassadors, ministers, consuls and their assistants.

Divisions of the Service. The Civil Service Act specifies that all the employes who are affected by said act shall be classed in five groups, as follows: The Departmental Service, the Customs Service, the Postal Service, the Government Printing Service, and the Internal Revenue Service.

The Departmental Service is by far the largest in point of numbers, and includes all employes whose appointments are not subject to the approval of the Senate, and who are above the grade of laborer. The clerks of the various Executive departments and the Commissions authorized by Congress, the employes of the Offices of the District of Columbia, the railway mail service, the pension agency, the Indian service, the light-house service, the steamboat inspection service, the marine hospital service, the life saving service, the revenue cutter service, the mints and assay offices, subtreasuries, land offices, etc., are all under the rules of the Civil Service Commission.

The Customs Service includes every officer in the various customs districts whose grade of position is between the extremes mentioned in the paragraph above; the Postal Service includes all similar officers at free delivery postoffices; the Government Printing Service and the Internal Revenue Service are sufficiently identified by their names and cover positions of the grades before mentioned.

Applications for Positions. Any person seeking appointment in the classified service must first write to the Civil Service Commission at Washington for an application blank. After this blank is properly filled out, it is returned to Washington, or is sent to the Board of Examiners in the city in which the applicant is to be examined, as may be directed. Applicants for examination must be citizens of the United States and of proper age; anyone addicted to the use of intoxicating liquors to excess is not eligible to appointment, even if possessed of the educational qualifications. Political or religious belief, sex or color, do not affect a candidate's standing. The ages at

which candidates are eligible vary in the different branches of the service.

Examinations. An applicant for a position in any department of the public service must pass a mental test to prove his fitness. For the ordinary clerical places in the Departmental, Customs, and Internal Revenue services, examinations are limited to the subjects of orthography, penmanship, copying, letter-writing, and the fundamental elements of arithmetic. Meat inspectors are examined in these branches and also in veterinary anatomy and physiology, veterinary pathology and meat inspection. One who would be an examiner of patents must prove his fitness in physics and technics, mathematics, chemistry and mechanical drawing. The most severe test for railway mail clerks is an exercise required of them in locating instantly even the most obscure postoffices in a large area and the nearest routes by which they can be reached; this particular test is applied after they have passed examinations in the common branches and have had a number of weeks of study of postal routes. No applicant may be examined in any of the recognized trades unless he has had five years' experience in his trade. No one can be certified for appointment to any position whose standing in examination falls below seventy per cent. After a person has passed the examination of the department he proposed to enter and is duly certified, he must wait for appointment until those whose standing is above his have received positions.

Appointments. Every appointment is made for a probationary period of six months, and always from the eligibles having shown the highest grades in their examinations. If it happens that there are no names of eligibles upon a list for any position in which a vacancy exists, such vacancy may be filled by appointment without examination and certification, subject to the approval of the Civil Service Commission, and this appointment is legally effective until an eligible person can be found by the Commission.

Salaries. Entrance to the Departmental Service is usually in the lowest grades, the higher grades being generally filled

by promotion. The usual entrance grade is about $900, but the applicant may be appointed at $840, $760 or even $600. See CIVIL SERVICE REFORM.

Civil Service Reform is reform in the civil service of the United States Government, with respect to appointments to office and dismissal therefrom. Those persons who urge such measures of reform are called civil service reformers, and their contention is that when a public servant in an appointive clerical position is performing his duties in an able manner, he should not be removed from office for political or personal reasons.

It was clearly the intention of the founders of the Government that those officers holding their positions by appointment should continue in the discharge of their duties during good behavior President Jefferson was the first Chief Executive to depart from the custom, but his removals of political enemies were not numerous, and he usually advanced other than purely political reasons for such changes as he ordered. But when Andrew Jackson became President, public office came to be considered a reward for faithful party service. Jackson advocated "rotation in office," and he turned hundreds of experienced employes from every department to make room for men of his own political party. "To the victors belong the spoils" became the slogan of succeeding administrations; not especial fitness for positions, but effective party service, was the basis upon which appointments were made. It can readily be seen how such a system would in time demoralize many branches of the public service, how "patronage" (the control of offices) would come to be a mere matter of traffic, and how that greatest of business enterprises, the conduct of the Government, would suffer from inefficiency and wastefulness. Thoughtful men in Congress and other patriotic citizens for years agitated the question of laws which would protect faithful officials from removal with the changes in administrations, with the result that the first civil service law was put into practical effect during President Arthur's administration, in 1883. This was the Pendleton Bill, creating a Civil Service Commission of three members

and placing certain offices under its protection. The Commission was empowered to exercise control in all cases affecting officers on the civil service lists; no person in these classes could be removed from office unless charges were preferred against him and sustained.

The Commission has sole power to fill all vacancies in offices which are under the civil service rules; the law stipulates that all applicants for appointment shall be tested by rigid examinations, and positions shall be assigned with reference only to the capacity, education, health and character of the applicant. Religion and politics are private matters which in no way affect appointment. Year by year important additions to the protected lists have been made by Presidential proclamation, until the majority of appointive officers in the service are so-called civil service appointees. In 1908 more than 125,000 positions were among those classified; one of the largest classes added at any one time was that of postal clerks on mail trains, and mail carriers in cities, who alone number many thousands. There is now a demand that all the fourth-class postmasters in the country be transferred to the classified service; when this is done, it will add over 60,000 positions to the list and end the quadrennial scramble for postmasterships in small towns.

The civil service reform idea has popularized itself by elevating the moral tone of the Government service and by securing a higher grade of ability in every department it has entered; members of Congress have always fought its advance, because it deprives them of vast political power by control of appointments; but today the majority dare not go on record with their votes in opposition to it. See Civil Service.

Civil War, a war waged between citizens of the same country; from the Latin *civilis*, meaning citizen. The greatest civil war in the world's history was that between the Northern and Southern States of the American Union, 1861–1865.

Clay Whigs, a strong wing of the Whig party in 1841–1844 which accepted Henry Clay as its leader, in opposition to the President, John Tyler, who was also a Whig. Quarrels arose

between factions of the party, chiefly over the debates regarding a charter for a United States bank. The President was opposed to granting the charter, even vetoing a bill passed by Congress which had for its author his Secretary of the Treasury. A second bill embodying many of Tyler's suggestions subsequently passed Congress, but was vetoed. Naturally, the conflict between the factions was continued on other measures. These dissensions so weakened the Whigs that at the election of 1844 the Democrats gained control of Congress. See POLITICAL PARTIES IN THE UNITED STATES.

Clean Sweep, a political phrase formerly used to indicate the removal of all subordinate officers by an incoming official, to make places for men of his own political party. Such an act is impossible today, owing to the protection afforded thousands of employes under civil service rules. See CIVIL SERVICE REFORM.

Coast and Geodetic Survey, THE, is a National undertaking for the security of the vast maritime interests of the country, by surveys of the coasts and waterways and publications of accurate information and maps relative thereto. The first attempt to organize a National coast survey "for the purpose of making complete charts of our coasts, with the adjacent shoals and surroundings," was made in 1807, for which an appropriation of $50,000 was made by Congress. The scope of the work of the bureau was gradually extended, but was withdrawn from the Southern States during the Civil War. After the acquisition of Alaska its coasts were added to the field of operations, and still later the new possessions of Porto Rico, the Philippine Islands and Hawaii have claimed their share of the regular appropriations. The whole work is under the direction of the Treasury Department.

Coin, a piece of metal, usually an alloy [q. v.], of prescribed weight and fineness, stamped by authority of the Government and used as money. Various metals are used for coinage, gold and silver predominating, while copper and nickel and their alloys with each other comprise in large measure the subsidiary coin of a nation. Coins receive their names from their given

value or from the effigy or device stamped upon them—usually for the reason first named.

In all civilized countries, gold, silver and copper have always constituted the main elements of coinage. The essential qualities of a metal for coinage are durability and intrinsic value. The precious metals are soft, but when mixed with a hard baser metal in every sense meet the first requirement. Gold and silver are nearly of fixed value; the ratio of their values has varied less during 2,000 years than the fluctuations of any other two metals. See COINAGE; SPECIE; SUBSIDIARY COIN.

Coin, FOREIGN. See FOREIGN COIN.

Coinage, COLONIAL. The earliest mediums of exchange in the colonies which afterward formed the American Union were wampum [q. v.], cotton cloth, corn, furs, and tobacco. These were used for money, even under most unfavorable conditions, for a number of years. Overproduction of all these commodities eventually caused a depreciation in their value and forced the colonists to seek better and more suitable mediums which should be at the same time more convenient for general use. Wampum, the most important of these crude mediums, became so uncertain in value that the authorities of Massachusetts ultimately refused to receive it in payment of taxes.

PINE TREE SHILLING

In none of the colonies was it possible to keep for local circulation the coin which came to them through trade with the West Indies; it had to be sent to England to pay for purchases from English merchants. To stop this drain of specie, mints were established in various cities along the seaboard.

Massachusetts. The first approach to a metallic currency on the American continent was the following order of the General Court of Massachusetts, in 1636: "It is likewise ordered muskett bulletts of a full boare shall passe for a farthing

a peece, provided that noe man be compelled to take above XII d. att a tyme of them."

In May of 1652 Massachusetts established its first mint, at which were issued coins of the value of "12 d., 6 d. & 3 d. peeces" and "every shilling weighing the three penny troj weight & lesser peeces proportionably." The first pieces struck were mere planchets, stamped near the border with the letters NE, and on the reverse the value indicated on the several coins by XII, VI, III, in a square similarly impressed near the border. The greater coin is known as the "New England shilling" and was followed by the pine tree coins, the name applied from the device on the reverse side of each piece. Its second mint was authorized in 1787 "for the coinage of gold, silver and copper" and it was declared that $60,000 "be coined in convenient cents and half cents, the mint to be conducted by Captain Joshua Wetherlee." The design on the reverse side of this coin is now the chief device on the Great Seal of the United States.

NEW ENGLAND SHILLING.

Virginia. The earliest coinage that can be called American was ordered by the original Virginia Company in 1612. It was not minted in the colony, however, but in the Bermuda Islands. In 1645 the Assembly, after a preamble reciting that "It had maturely weighed and considered how advantageous a quoine would be to this colony, and the great wants and miseries which do daily happen unto it by the sole dependency upon tobacco," provided for the issue of copper coins of the denomination of twopence, threepence, sixpence, and ninepence; but this law was never carried into effect, so that the first colonial coinage of America was that struck off by Massachusetts under the order of the General Court, passed May 27, 1652.

Maryland, in October, 1659, had shillings, sixpences [groats], and pennies coined in England by Lord Baltimore. The major coin was known as the "Maryland shilling."

Connecticut had in circulation a private or unauthorized coinage, issued by John Higley in 1737. This coinage was made of copper mined in the town of Granby.

Pennsylvania made no provision for local coinage, but issued strict orders in the matter of counterfeiting money; "any persons convicted of counterfeiting" in the province was "doomed to suffer death without benefit of clergy" and any person who knowingly passed counterfeits was sentenced "to stand in the pillory for the space of one hour, having both ears cut off and nailed to the pillory, and besides receive twenty-one lashes in public on the bare back; and also to pay one hundred pounds as a fine, one-half to go to the use of the Governor, and one-half to the informer, with costs and charges of prosecution assessed upon conviction."

New Hampshire. In this colony the subject of coinage was considered but never was a system put into effect. Plans for coinage reached no further than the production of some patterns in 1776.

Vermont. This was the first State to issue a copper coinage. In June, 1785, it gave to a man named Harmon the right to make copper money for that State for two years. He started a mint at Rupert in Bennington County and coined the Vermont copper cent of 1785.

New Jersey. In June, 1786, this State granted to three men the right to coin money. The partners quarreled and two of them started another mint. The original contract "to strike and coin in copper a sum equal in value to 10,000 at fifteen coppers to the shilling" was divided into thirds, each partner accepting one-third of the allotment. The coin produced was known as the New Jersey copper coin of 1786. See COINAGE, UNITED STATES.

Coinage, CONFEDERATE STATES. In 1860, when it left the Union, the seceding Confederate State of Louisiana seized a great quantity of gold and silver bullion. Jointly with the Confederate Government it issued a gold coinage amounting to $254,820, in twenty-dollar pieces, and a silver coinage of over a million dollars, in half-dollar denominations, using the

United States dies of 1861 of the New Orleans National mint. This coinage ceased in May, 1861, when the bullion remaining was transferred to the Treasurer of the Confederate States. With this transfer, the United States dies were destroyed and the Confederate Secretary of the Treasury ordered a special die made for stamping half-dollars. This die was defective; before another could be provided, it was found impossible to get supplies of silver bullion, so the mint was closed.

CONFEDERATE HALF-DOLLAR.

In testing the first die made, four coins were stamped, and these comprise the total output of coinage bearing the name of the Confederate States. They are described as follows:

Obverse: A Goddess of Liberty (same as the U. S. coins) within an arc of thirteen stars (representing the States of the original republic). Exergue, 1861.

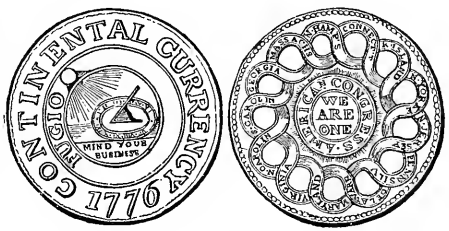
Reverse: An American shield beneath a "Liberty Cap," the union of the shield containing seven stars (representing the seven seceded States), the whole surrounded by a wreath; to the left, cotton in bloom; to the right, sugar-cane. *Legend,* CONFEDERATE STATES of AMERICA.. Exergue, HALF DOL. Borders, milled. Edge, serrated.

Coinage, UNITED STATES. The adoption of the Constitution of the United States immediately simplified the question of coinage in the various States [See COINAGE, COLONIAL] by placing the power to coin money entirely in the hands of the Federal Government. The various State mints were therefore closed, but as there was an interval of more than thirteen years between the declared independence of the colonies and the adoption of the Constitution, a few coins bearing the United States imprint were stamped in these State mints. In 1786 Congress authorized a mint, but it was not established; in the year following there were made at a mint in New Haven, Connecticut, three hundred tons of copper coins, the first by authority of the united voice of the new nation.

They bore the following devices: On one side thirteen circles linked together; a small circle in the middle, with the words "American Congress" within it, and, in the center, the sentence "We are one." On the other side a sun-dial, with the sun above it, and the word "Fugio"; and around the whole, "Continental Currency, 1776." Below the dial, "Mind your business."

The real work of coinage under the Constitution dates from 1792, in which year Congress established the mint of the United States, but it did not get into complete and satisfactory operation until three years later.

During this interval of about three years its operations were chiefly experimental, and hence the variety of silver and copper coins which appeared between 1792 and 1795, now so much sought after by coin-collectors. The most noted of these is the "Washington cent," or "Liberty-cap cent," [q. v.] so called because it has the profile of Washington on one side and a liberty-cap on the other. The subject of a device for the National coin caused much, and sometimes warm, debate in Congress. The bill for the establishment of the mint originated in the Senate, and provided for an eagle on one side of the gold and silver coins. To this there was no objection. The bill proposed for the reverse a representation of the head of the President of the United States for the time being, with his name and order of succession to the Presidency and the date of the coinage. To this it was objected that the President might not always be satisfactory to the people, who would be disturbed by the effigy of an unpopular or unworthy man. Besides, the head of the President might be viewed as a stamp of royalty on the coins, and would wound the feelings of many. The House, after much debate, did not agree with the Senate,



FAC SIMILE OF FIRST MONEY COINED BY UNITED STATES.

and the bill was sent back. Then it was proposed to substitute a head or figure of Liberty. This was finally agreed to, but an attempt was afterwards made to substitute the head of Columbus. At last the eagle, in the place of the head of Liberty, was chosen for the golden coins.

David Rittenhouse, of Philadelphia, was chosen the first director of the mint. At that city (being the seat of government) it was established, and was never moved from it. It was the sole mint until 1835, when Congress created several branches. [See MINT.]

There has been much legislation affecting designs, weights, and fineness of the coins of the United States. As much of this as is of present value to the reader is given below:

By the act of 1792 the golden eagle of 10 dollars was to weigh 270 grains, the parts in the same proportion; all of the fineness of 22 carats. The silver dollar, of 100 cents, was to weigh 416 grains, the fractions in proportion; the fineness, 892.4 thousandths. The copper cent was to weigh 264 grains; the half-cent in proportion. In 1793 the weight of the cent was reduced to 208 grains, and the half-cent in the same proportion.

An act was passed in June, 1834, changing the weight and fineness of the gold coin, and the relative value of gold and silver. The weight of the eagle was reduced to 258 grains, and the parts in proportion, of which 232 grains must be pure gold, making the fineness 21 carats. The silver coinage was not then changed, but in January, 1837, Congress reduced the weight of the silver dollar to 412½ grains, and the parts in proportion. By act of March 3, 1849, there were added to the series of gold coins the double eagle and the dollar; and in February, 1853, a 3-dollar piece. On March 3, 1851, there was added to the silver coins a 3-cent piece (a legal tender for sums not exceeding 30 cents), and this piece continued to be coined until April 1, 1853, when its fineness was raised and its weight reduced. By act of February 21, 1853, gold alone was made a legal tender; the weight of the silver half-dollar was reduced to 206 grains, smaller coins in proportion. Silver was made a legal tender only to the amount of 5 dollars. The silver dollar was not included in the change, but remained a legal tender. The copper cent and half-cent were discontinued in 1857, and a new cent of copper and nickel was coined. In 1864 the coinage of the bronze cent was authorized; also 2-cent pieces. By act of March 3, 1865, a 3-cent piece was authorized, of three-fourths copper and one-fourth nickel. May 16, 1866, a coinage of 5-cent pieces, three-fourths copper and one-fourth nickel, was authorized. The coinage act of 1873 prescribed the fineness of all gold and silver coins to be .900. The gold coins were of the same denomination as before; the silver coins were a "trade-dollar,"

weighing 420 grains; a half-dollar, or 50-cent piece; a quarter-dollar, and a dime. There were also 5-cent and 3-cent silver coins issued. The issuing of coins other than those enumerated in the act was prohibited. It was provided that upon the coins of the United States there shall be the following devices and legends. Upon one side an emblem of Liberty, with the word "Liberty" and the year of the coinage; and upon the reverse the figure of an eagle, with the inscriptions "United States of America" and "E Pluribus Unum," together with a designation of the value of the coin. It was provided, however, that on the gold dollar, the 10-cent, 5-cent, 3-cent and 1-cent pieces the figure of the eagle should not appear. The sentence "In God we trust" was to be added whenever practicable.

Coin Names. The origin of the names of current coins of the United States may be stated as follows:

Dollar. The word is a corruption of the German *thaler.* Other words of like significance are the Low German *dahler,* the Dutch *daalder,* the Danish *daler,* and the Italian *tallero.* They have a common origin in Joachim's Thal, a town in Bohemia, as far back as the year 1518. In that obscure city the Count of Schlick coined some silver pieces, each weighing one ounce; the workmanship was excellent, considering the lack of needed appliances. From the name of the town the coins were popularly known as Joachim Thalers, and soon in common usage the first name was dropped. The reputation of these coins spread rapidly and others in different parts of Bohemia were soon afterwards made from very similar patterns. The same style of silver piece was manufactured little by little at greater distances from the scene of its origin, and while the name did not change, the spelling was made to conform to local taste. In Spain the form *dollar* first appeared and through its colonies that spelling reached America. In coinage the word dollar is a favorite, being found under various spellings in every part of the world.

Quarter, a word which, in connection with coinage, is without meaning except in the United States. The twenty-five cent piece, made of silver, is so called because it is of the value of one-fourth of a dollar.

Dime, a term applied to one-tenth part of the standard silver dollar. The name is derived from the French *dixieme,* meaning a tenth, and first appeared in our coinage as *disme;*

this form it took on the few dimes that were stamped in the year 1792.

Cent, the one-hundredth part of a dollar; a contraction of the French *centime,* meaning hundredth.

Eagle. The figure of the National bird, the American eagle, was stamped on the reverse side of the ten-dollar gold piece, and from this design the coin took its name. See COINAGE, UNITED STATES.

Coins, RARE. See RARE AMERICAN COINS.

Collector, an officer authorized by law to receive taxes and other public revenues. As a State officer he is local tax collector; as a Federal officer his duties pertain solely to the receipt of internal revenue taxes and the collection of duties on imports.

Collector of the Port, a Government official who receives customs duties at ports of entry. He is usually paid a salary and fees, the latter to stimulate official zeal in apprehending smugglers. See PORT OF ENTRY.

Colonel, an officer of the army of the United States in command of a regiment of infantry or cavalry. In rank he is next below Brigadier-General and just above Lieutenant-Colonel. His salary upon appointment is $3,500 per year, but it increases ten per cent for every five years' service until a maximum increase of forty per cent is reached. See COMPARATIVE RANK IN ARMY AND NAVY.

Colonial Congress. Soon after the attack from the north on Schenectady in the early part of 1690, the Massachusetts authorities, in alarm, addressed a letter to all colonies as far south as Maryland, in which they were invited to authorize the attendance of delegates at a conference in New York, to formulate some plan of action looking to the common defense of the colonies. Commissioners from New York, Massachusetts and Connecticut met in May of the same year and planned an attack against Canada. This was in fact the first colonial Congress; however, historians deny it the honor of that name, because of the insufficiency of representation, reserving the title of First Colonial Congress to the assembly of 1765, which also met

at New York after the passage of the Stamp Act, which caused so much unrest in the colonies.

First Colonial Congress. The first important step towards union of the American colonies was seen in the work of the Albany Convention [q. v.] in 1754. Ten years later a much more decisive step in the same direction was forced by England, although quite contrary to her expectations. The passage of the Stamp Act led the colonists to see the absolute necessity of a union of all the colonies for active resistance to the arbitrary measures of the parent Government. The first step was taken by Massachusetts, whose Governor called a general congress, urging full representation from all the colonies. This first general Colonial Congress was held in New York in October, 1765, and was composed of twenty-eight representatives from nine colonies—all excepting New Hampshire, Virginia, Georgia, and North Carolina. The first sympathized with the movement; the last three did not. The sessions continued from the 7th to the 25th of the month, during which a "Declaration of Rights and Grievances," "An Address to the King" and a "Memorial to Both Houses of Parliament" were adopted. These acts were later ratified by the assemblies in each colony which had participated in the Congress. Not for nine years was another congress convened, and when in 1774 the next was called, it was not named Colonial, but Continental —a term more in accord with the spirit of the times. The First Colonial Congress is also known as the "Stamp Act Congress." See CONTINENTAL CONGRESS.

Colonial Conventions. See ALBANY CONVENTIONS.

Colonial Government, FORMS OF. There were three forms of government known and practiced in the various American colonies. The most common was the provincial, or Royal rule, in which governing power was delegated by the king to Governors appointed by himself, who were responsible only to him. For nearly the whole colonial period, New Hampshire, New York, New Jersey, Virginia, North Carolina, South Carolina and Georgia were thus ruled. Proprietary rule was a very unsatisfactory form of government, but was practiced for a

time in Maryland and Pennsylvania, the latter including Delaware. Most of the other colonies at various times were under proprietary rule, but the proprietors relinquished their claims after brief attempts at control. Charter rule represented government by charters granted by the king; Massachusetts, Connecticut and Rhode Island were so governed. The charters in each instance gave the colonies power to elect their own officers and guaranteed in large measure independence in government.

Colonial Territorial Claims. See TERRITORIAL CLAIMS OF THE COLONIES.

Colonies of the World. The various colonies held by the United States and by European governments occupy about two-fifths of the land area of the globe, and contain nearly one-third of the world's population. Change in ownership of colonies results from purchase, exchange of territory or from wars. The names of all the colonies are given below, with information as to area, the governing country and population:

	Sq. miles.	Population.
AUSTRIA-HUNGARY.		
Bosnia and Herzegovina	19,702	1,568,092
BELGIUM.		
Kongo Free State	900,000	30,000,000
CHINA.		
Chinese Turkestan, etc.	550,340	1,200,000
Manchuria	363,610	16,000,000
Mongolia	1,367,600	2,600,000
Tibet	463,200	6,500,000
DENMARK.		
Greenland	46,740	11,893
Iceland	39,756	78,470
West Indies	138	30,527
FRANCE.		
Algeria	343,500	5,158,050
Annam	52,100	6,124,000
Cambodia	37,400	1,500,000
Cochin China	20,000	2,968,600
Comoro Isles	620	47,000
Dahomey	60,000	1,000,000
Guadeloupe, etc	688	182,110
Guiana	30,500	32,910
Guinea, French	95,000	2,200,000
India, French	196	275,400
Ivory Coast	120,000	2,000,000
Kongo, French	450,000	10,000,000
Laos	98,400	650,000
Madagascar and islands	227,950	2,644,700
Martinique	380	203,780
Mayotte	140	11,640
New Caledonia, etc	7,650	53,350
Oceanic establishments	1,520	29,000
Reunion	970	173,200
Sahara, western	1,944,000	800,000
St. Pierre and Miquelon	92	6,250
Senegal	9,070	107,800
Senegambia and Niger	370,000	8,000,000
Somali Coast	12,000	50,000
Tonquin	46,000	10,000,000
Tunis	64,000	1,900,000
GREAT BRITAIN.		
Aden and Perim	9,080	43,974
Ascension	34	410
Australia	3,063,113	5,623,375
Bahamas	4,404	58,175
Basutoland	10,293	348,000
Bechuanaland	275,000	120,040
Bermuda	19	20,209
Borneo and Sarawak	73,106	660,000
British Guiana	90,277	296,565
British Honduras	7,562	40,372
British New Guinea	90,540	350,000
Canada	3,745,574	5,683,396
Cape Colony	276,995	2,470,289
Central Africa protectorate	40,980	977,252
Ceylon	25,332	3,950,123
Cyprus	3,584	248,114
East Africa protectorate	177,101	4,038,250
Falkland islands	6,500	2,016
Federated Malay states	26,380	871,974
Fiji	7,740	121,872
Gambia	3,619	90,354
Gibraltar	2	18,645
Gilbert islands	180	35,000
Gold Coast	119,260	1,486,433
Hongkong	35	350,000
Hongkong leased territory	389	489,800
India	1,766,797	294,317,08

	Sq. miles.	Population.
Jamaica	4,207	817,560
Labuan	30	9,000
Leeward islands	701	132,360
Malta	117	205,059
Mauritius	835	382,972
Natal	35,371	1,141,406
Newfoundland-Labrador	163,734	229,527
New Zealand	104,751	888,639
Northern Nigeria	256,400	9,161,700
Orange River Colony	50,392	387,315
Rhodesia	431,265	1,400,000
St. Helena	47	3,512
Seychelles	149	20,767
Sierra Leone	30,000	1,680,000
Solomon islands	8,357	150,000
Somaliland protectorate	68,000	300,000
Southern Nigeria	77,260	4,444,393
Straits Settlements	1,600	572,249
Tonga islands	390	21,103
Transvaal	117,732	1,399,528
Trinidad and Tobago	1,868	331,600
Turks and Caicos islands	169	5,287
Uganda	223,500	4,000,000
Weihaiwei	285	131,000
Windward islands	672	372,631
Zanzibar protectorate	1,020	200,000
GERMANY.		
Bismarck archipelago	20,000	188,000
Caroline and Pelew islands	560	50,000
German East Africa	384,180	7,010,000
German Southwest Africa	322,450	200,000
Kaiser Wilhelm Land	70,000	110 000
Kamerun	191,130	3,500,000
Kiauchau Bay	200	33,000
Marianne islands	250	2,000
Marshall islands, etc	150	15,000
Samoan islands	1,000	33,000
Solomon islands	4,200	45,000
Togoland	33,700	1,500,000
ITALY.		
Eritrea, etc	88,500	450,000
Somali coast	100,000	400,000
JAPAN.		
Formosa	13,458	2,899,586
Pescadores	85	55,222
Sakhalin	14,669	14,000
NETHERLANDS.		
	Sq. miles.	Population.
Bali and Lombok	4,065	1,041,696
Banca	4,446	106,305
Billiton	1,863	43,386
Borneo	212,737	1,087,597
Celebes	71,470	884,141
Curacao	403	53,486
Dutch Guiana	46,060	74,578
Java and Madura	50,554	28,746,689
Molucca islands	43,864	410,198
New Guinea	151,789	200,000
Riau-Linnga archipelago	16,301	86,180
Sumatra	161,812	3,052,699
Timor archipelago	17,698	119,239
PORTUGAL.		
Angola	484,800	4,119,000
Cape Verde islands	1,480	147,424
Damao, Diu	169	56,285
East Africa	293,400	3,120,000
Goa	1,469	475,513
Guinea	13,940	820,000
Macao, etc	4	63,991
Prince's and St. Thomas	360	42,103
Timor	7,330	300,000
RUSSIA.		
Bokhara	80,000	1,250,000
Khiva	22,320	800,000
SPAIN.		
Fernando Po, etc	780	21,946
Rio de Oro and Odrar	70,000	130,000
Rio Muni, etc	9,800	140,000
TURKEY.		
Bulgaria	38,080	4,028,239
Crete	3,365	310,185
Cyprus	3,710	237,000
Samos	180	53,424
Egypt	400,000	9,734,405
Sudan	950,000	2,000,000
UNITED STATES.		
Alaska	599,446	63,592
Guam	150	9,000
Hawaii	6,449	154,001
Porto Rico	3,606	953,243
Philippines	119,542	7,635,426
Samoan islands	79	5,800

Colonization, [1] the temporary and unlawful settling of voters in an election precinct that they may vote as directed by unscrupulous politicians. This rarely occurs except in crowded city wards where the better class of voters is in a minority.

[2] The planting of negro colonies in Africa, by assisted emigration, in the years before the Civil War, in the hope of suppressing the slave trade. The idea originated before 1800, and in 1817 the American Colonization Society was formed. Some free negroes in the same year joined the Sierra Leone colony, and in 1820 an attempt was made to establish a pros-

perous colony at Sherbo Island. This effort failed and land was purchased on the adjacent mainland for the purpose of settlement. To this point nearly ten thousand colored colonists were shipped by 1847, and in that year its inhabitants organized the Republic of Liberia. For years the South encouraged the colonization movement, as it removed the free negroes and destroyed their influence over their brothers in bondage, but as slaves became more valuable, fewer were set at liberty and emigration as a result decreased. Colonization met with almost universal disfavor at the North before the Civil War, as it was looked upon as an ill-advised effort to cure a national ill.

Every few years some prominent friend of the negro race urges the colored people to emigrate to Africa, where they may work out their political freedom far from white domination, but little success has ever attended these efforts.

Colony, a settlement in a remote region under the control of the mother country, made usually by voluntary emigration. Any such settlement in which residence is not voluntary is a penal colony, the inhabitants of which are serving sentences for crimes in the parent country and are under strict surveillance.

In the sense above noted, the United States has no colonies; however, the world events at the close of the nineteenth century involved the American republic in a war for humanity which ended with Porto Rico and the Philippine Islands in our possession. These dependencies are governed very largely as the nations of Europe control their colonies, and the same form of control will be necessary until the inhabitants can be taught a measure of self-government.

The British colonies are divided into Crown colonies, in which all legislative power remains in the hands of the home Government and is exercised through royal Governors and other nominated overseers, and into colonies possessing representative government, in which the home Government has only a veto power on legislation. British India is an example of the former class, and Canada and Australia of the latter. See Colonies of the World.

Colorado. The greater portion of the State belonged to Mexico, up to the period of the Mexican War, although it was visited as early as 1806 by Zebulon Pike, a noted explorer. It passed into the possession of the United States formally by the treaty of Guadalupe Hidalgo, early in 1848. In 1858, heavy immigration to this territory followed the discovery of gold and silver. A provisional government was organized, but dispute as to jurisdiction delayed formation of the Territory; Nebraska, Utah, Kansas, Dakota and New Mexico all claimed governmental authority over it. Early in 1861, Congress organized Colorado Territory from portions of Utah, New Mexico, Kansas and Nebraska, and in 1876 Colorado was admitted as the thirty-sixth State in the Federal Union.

STATE SEAL OF COLORADO.

Government. Colorado has had but one Constitution, the one originally adopted in 1876. Amendments to it must be submitted to the people for approval after passing each House by a two-thirds' vote; a majority vote of all the people is required on any amendment. The Executive authority is vested in a Governor and Lieutenant-Governor, Secretary of State, Auditor, Treasurer, Attorney-General and Superintendent of Public Instruction. Each of these is elected for two years and is eligible to a second term. In Colorado the Legislature is called the General Assembly. It consists of a Senate of thirty-five members, elected for four years, one-half of them retiring every two years; and a House of Representatives of sixty-five members, elected for two years. By constitutional provision the number of members of the General Assembly can never exceed 100. Sessions of the Assembly are limited to ninety days; no legal business can be transacted after the expiration of that period. The judicial power is vested in a Supreme Court, composed of a Chief Justice and six Associate Justices. It has also District, County and Probate courts. County government in Colorado is by commissioners. If a county has

a population below 70,000, there are three commissioners; if more than 70,000, there are five commissioners. These officers are chosen for terms of four years.

Columbia. The name applied sentimentally to the United States, by which we aim to honor the memory of Columbus. Its first use has been traced to Dr. Timothy Dwight [1752–1818] who wrote a popular song beginning with the words,

> Columbia, Columbia, to glory arise,
> The Queen of the world and the child of the skies.

Columbia is the feminine form of the word Columbus; and by common consent the emblematic goddess of the country.

Comity of Nations, a diplomatic term for the spirit of friendliness existing between the great powers of the world, by which a Government is often impelled to grant a favor to a foreign power which could not be demanded as a matter of right under existing treaties. The word comity means friendly and mutual courtesy.

Commander, an officer in the United States navy, in rank below Captain and above Lieutenant-Commander. The grade of army officer corresponding to this rank is Lieutenant-Colonel. Under naval regulations a Commander may be placed in charge of war vessels of the third or fourth class (displacement between 900 and 2,000 tons, such as torpedo boats and destroyers), may be chief-of-staff to a Commodore, may be assigned to duty in a bureau of the Navy Department, or as aid to a Flag Officer (fleet commander). The pay of a Commander is $3,500 per year while on sea duty, $3,000 on shore duty, and $2,300 on leave of absence or while waiting orders. See Comparative Rank in Army and Navy.

Commerce, the exchange of goods or property on a large scale, between States or nations. In the science of political economy commerce is grouped by some authorities with agriculture and manufactures as a branch of production. See Active Commerce; Passive Commerce.

Commerce and Labor, Department of. The ninth Executive Department of the Government of the United States, at the head of which is the Secretary of Commerce and Labor.

The Department was created in February, 1903, and its chief was made a member of the Cabinet of the President. It is the province of the Secretary of Commerce and Labor to deal with commerce in its broadest sense, including whatever concerns labor and all matters affecting great business corporations and the country's merchant marine. Through this Department the Government expects to broaden our markets, secure our business interests on a firm basis, and make safe our position in the international world of industry, all the while scrupulously safeguarding the rights of wage-earner and capitalist.

The Department of Commerce and Labor is made up of several bureaus from the State, Treasury and Agricultural Departments, with the new Bureau of Corporations and another of Manufactures. It took from the Treasury Department the Lighthouse Board, the Lighthouse Establishment, the Steamboat Inspection Service, the Coast and Geodetic Survey, the Bureau of Immigration and the Immigration Service at large, the Shipping Commissioner, the Bureau of Statistics of the Treasury Department and the Bureau of Navigation; from the Interior Department, the Census Bureau; from the State Department, the Bureau of Foreign Commerce; and from the Agricultural Department, the Bureau of Standards, the Commission of Labor and the Fish Commission. The President is empowered to transfer to the Department of Commerce statistical or scientific work from any of the other Departments, but he cannot transfer work of the Interstate Commerce Commission or the statistical work of the Department of Agriculture.

In some respects this is one of the most important departments of the Government. It is preeminently the business department. It is the aim of the Department to bring all the various bureaus into closer and more effective working relationship and to help American commerce and American business men in every way possible.

The Secretaries of Commerce and Labor are as follows:

George B. Cortelyou,	New York,	Appointed Feb. 16, 1903.
Victor H. Metcalf,	California,	" July 1, 1904.
Oscar S. Straus,	New York,	" Dec. 3, 1906.
.....	.....	" .....

See CORPORATIONS, BUREAU OF; CABINET OF THE PRESIDENT.

Commission, [1] a body composed of two or more persons appointed by Executive or Legislative authority to perform a specified public service. Frequently to such a body is delegated the power to call witnesses and put them under oath, and it may cite before courts for punishment those who refuse to appear or to answer questions. [2] A document issued by Executive authority, conferring designated rank or power on the person named; as, a commission as Ambassador to France, or a commission to be Colonel of a regiment.

Commissioner, a man bearing the authority of his Government, State or National, to administer some office of trust, or execute some public measure. He usually serves with other commissioners, who form a board, or commission. His official acts are limited to the services legalized by the appointment.

Commissioner, COUNTY. See COUNTY COMMISSIONER.

Committee of the Whole. In a law-making body, proposed legislation is considered in committees before being presented to the whole assembly for definite action. Sometimes it is desirable that, instead of referring a matter to a particular committee of a limited number of members, the whole body participate in its consideration. In such case the members resolve themselves into what is called a Committee of the Whole, upon motion to that effect, whereupon the presiding officer leaves his chair and calls another member to take his place. The body is thus organized into a Committee of the Whole, and discussion of the topic under consideration may proceed along parliamentary lines. When the Committee has finished the consideration of the subject entrusted to it, the temporary chairman resumes his place as a member on the floor and the permanent chairman again assumes his station. The temporary chairman is recognized as the chairman of the Committee of the Whole, and after the regular organization is resumed, he makes a report to the legislative body of the action of the Committee. To be sure, every member present, having been a participant in the deliberations of the Committee of the

Whole, knows exactly what has been done, but it is necessary to present the matter in a formal way to the whole body in just the same manner as though the consideration of the proposition had been in the hands of a minor committee in a distant committee room. The obvious advantage of the Committee of the Whole is that every member of a Legislative body may participate in the preliminary discussion of a proposed measure before it is formally reported to the whole body for final action.

The rules and powers of this Committee differ in many particulars from those of the assembly, offering greater freedom of debate and making it possible often to gain much time in disposing of a question. In this Committee a member may speak as frequently as he can obtain the floor, the previous question may not be moved, nor can motions, appeals or amendments be laid on the table. The proceedings of the Committee of the Whole do not appear in the record of business; it contains only the motions by which the committee is organized and adjourned and the later report of its chairman. In the House of Representatives, the rules every year contain a provision that certain bills, usually measures relating to the granting of public money, must be considered in Committee of the Whole before being debated by the House. The Senate of the United States does not resolve itself into such a committee. In that body it is simply moved that a question be considered "as in committee of the whole." See COMMITTEES OF CONGRESS.

Committee of Ways and Means. See WAYS AND MEANS.

Committees of Congress. The real business of Congress, the work which decides the fate of all measures proposed to be made into laws, is carried on by committees, and only the favorable or unfavorable reports they may submit to the House and Senate are matters of public record. These committees consider bills referred to them behind closed doors, but an opportunity is always given citizens to appear at least once before them for a hearing on any measure under consideration. The committees vary in importance from those which are so powerful that membership on them is considered a high honor, to those which are obliged to meet but seldom.

Senate. The committees of the Senate are selected by the Senators themselves. The presiding officer is not qualified to make the selection, as he is not a member of the Senate, being placed there by a mandate of the Constitution, simply as presiding officer. A special committee of leading members of the Senate is selected by caucus at the beginning of each new Congress to name the membership of the various committees. The minority political party is given representation on all committees, usually in proportion to its numerical strength. The committees of the Senate are as follows:

STANDING COMMITTEES.

Agriculture and Forestry; Appropriations; Audit and Control the Contingent Expenses of the Senate; Canadian Relations; Census; Civil Service and Retrenchment; Claims; Coast and Insular Survey; Coast Defenses; Commerce; Corporations Organized in the District of Columbia; Cuban Relations; District of Columbia; Education and Labor; Engrossed Bills; Enrolled Bills; Examine the Several Branches of the Civil Service; Finance; Fisheries; Foreign Relations; Forest Reservations and the Protection of Game; Geological Survey; Immigration; Indian Affairs; Indian Depredations; Inter-oceanic Canals; Interstate Commerce; Irrigation; Judiciary; Library; Manufactures; Military Affairs; Mines and Mining; Mississippi River and Its Tributaries; Naval Affairs; Organization, Conduct and Expenditures of the Executive Departments; Pacific Islands and Porto Rico; Pacific Railroads; Patents; Pensions; Philippines; Post Offices and Post Roads; Printing; Private Land Claims; Privileges and Elections; Public Buildings and Grounds; Public Health and National Quarantine; Public Lands; Railroads; Revision of the Laws of the United States; Revolutionary Claims; Rules; Territories; Transportation Routes to the Seaboard· University of the United States.

SELECT COMMITTEES.

Additional Accommodations for the Library of Congress; Disposition of Useless Papers in the Executive Departments; Examination and Disposition of Documents; Five Civilized Tribes of Indians; Industrial Expositions; Investigation of the Condition of the Potomac River Front at Washington; Investigate Trespassers upon Indian Lands; National Banks; Standards, Weights and Measures; Transportation and Sale of Meat Products; Ventilation and Acoustics; Woman Suffrage.

House of Representatives. In the House of Representatives, the Speaker is absolute dictator in the matter of committee assignments. He is not only a member of the House, but precedent makes him the chairman of the Committee on

Rules, which declares what the order of business shall be. This is the most powerful committee of Congress. First in importance in the House of Representatives is the Ways and Means Committee, to which falls the duty of devising ways and means of raising revenue to meet the current expenses of the Government. Committee assignments are for two years, the term of a single Congress. As in the Senate, there is great rivalry among the members for important committee assignments. The standing committees of the House are as follows:

Accounts; Agriculture; Alcoholic Liquor Traffic; Appropriations; Banking and Currency; Census; Claims; Coinage, Weights and Measures; Disposition of Useless Executive Papers; District of Columbia; Education; Election of President, Vice-President, and Representatives in Congress; Election No. 1; Election No 2; Election No 3; Enrolled Bills; Expenditures in the Department of Agriculture; Expenditures in the Department of Commerce and Labor; Expenditures in the Department of Justice; Expenditures in the Interior Department; Expenditures in the Navy Department, Expenditures in the Post Office Department; Expenditures in the State Department; Expenditures in the Treasury Department; Expenditures in the War Department; Expenditures on Public Buildings; Foreign Affairs; Immigration and Naturalization; Indian Affairs; Industrial Arts and Expositions; Insular Affairs; Interstate and Foreign Commerce; Invalid Pensions; Irrigation of Arid Lands; Judiciary; Labor; Levees and Improvements of the Mississippi River; Library; Manufactures; Merchant Marine and Fisheries; Mileage; Military Affairs; Militia; Mines and Mining; Naval Affairs; Pacific Railroads; Patents; Pensions; Post Office and Post Roads; Printing; Private Land Claims; Public Buildings and Grounds; Public Lands; Railways and Canals; Reform in the Civil Service; Revision of the Laws; Rivers and Harbors; Rules; Territories; Ventilation and Acoustics; War Claims; Ways and Means.

In the House of Representatives there is no list of special committees, but the Speaker may appoint temporary committees as occasion requires. See COMMITTEE OF THE WHOLE; PRESIDENT OF THE SENATE; SPEAKER OF THE HOUSE OF REPRESENTATIVES.

Commodore, an officer in the navy of the United States and a few European countries, next in rank below Rear-Admiral. The Commodore is fourth and last in the list of fleet officers of the United States navy and in rank above Captain, the highest grade of ship's officers. A Commodore may com-

mand a division or squadron, be chief-of-staff of a naval force commanded by an Admiral, Vice-Admiral or Rear-Admiral, may command a battleship of the first class, or may be placed in charge of a naval station. The pay of a Commodore is $5,000 per annum while on sea duty, $4,000 on shore duty, $3,000 while on leave of absence or on waiting orders. The corresponding army rank is that of Brigadier-General. At the age of sixty-two a Commodore retires from active duty, on three-fourths active sea-duty pay. See COMPARATIVE RANK OF ARMY AND NAVY.

Common Carrier. A common carrier is a person or corporation that undertakes to transport goods or movable property, for hire. Under the law he is subject to peculiar liabilities. He is bound to carry unobjectionable goods of any person who may present them to him for shipment and offer payment of charges, and is subject to penalty if he refuses, except upon reasonable grounds. Dangerous substances and packages too heavy or too bulky for conveyance by the means at hand may be legally rejected. He is obliged to carry the goods by usual routes, with no unnecessary deviation or delay. To make him liable for damages there must be legal delivery of a shipment into his possession; i. e., it must be delivered at the place where he usually receives consignments, and during usual hours. His charge must be reasonable, and he must not give preference to one shipper over another, either in expeditious service or in his charges. The latter principle is enforced by Legislative acts and applies with force to the great railway systems of the nation. See INTERSTATE COMMERCE ACT.

Common Law, a term of English origin, meaning the old English system of laws originating simply in custom and usage. The common law consists solely of rules of action handed down by tradition, often in complete and definite shape, but frequently bequeathed only as the embodiment of the spirit or tendency of the times. The common law, then, is not statutory; that is, it is not law which has been enacted by Legislative assemblies; neither has it ever been reduced to

a regular code or to classification. It can only be found in the treatises of learned writers and commentators and in the decisions of courts of law, handed down through successive generations of English people. These treatises and court decisions, recognized as fair and impartial, were promptly endowed by public opinion with the binding force of statutes. Such laws were, of course, from the highest authority, and wherever the decisions did not conflict, they were taken as irrevocably establishing precedent for all time. Later courts, in deciding cases, referred to precedents laid down in former cases, in the same manner as American courts today base their actions upon our statute law; thus the common law gained strength with the years.

The United States has no common law, strictly speaking; when we refer to common law, we acknowledge indebtedness to these old English principles of law, brought to this country by the early colonists and treasured by them as a priceless heritage. After the Revolutionary war, the States of the new Union could have rejected the entire body of common law principles had they so desired, but so highly esteemed were the old traditions that in all States except Louisiana there existed these well defined rules, by common consent, before any statutes were framed. These remained in effect until superseded by specific acts of legislation. Common law precedent may be found to fit every case not provided for by statute. The laws of Louisiana are all based upon the Napoleonic code, owing to French influence yet prevailing at the time of admission to the Union.

Commonwealth, another name for a State of the Union. This term is most popular in the New England States; it is little used in the West.

Commutation of Sentence. In all State Constitutions and in the United States Constitution there are provisions for the exercise of clemency by the Executive power towards those under the sentence of the law for crimes and misdemeanors. The Governor in each State stands between the convicted man and possible cases of undue severity of the law, and it is his

privilege, as well, to lessen punishment whenever circumstances call for clemency, though the punishment, when decreed, seemed fully justified by all the evidence. A commutation of sentence is a shortening of the term of imprisonment, but does not extend to immediate and unconditional release; the latter act would be called a pardon. In case the offense is one against the laws of the United States, the President holds the power of commutation of sentence. See PARDON.

Compact of the Pilgrims. The first instrument of civil government ever subscribed to by all the people concerned was the Compact of the Pilgrims. The document was drawn up and signed November 11, 1620, new calendar, by the forty-one heads of families who sailed in the "Mayflower." In spelling and capitalization, the following is an exact copy of the original document:

"In ye name of God, Amen. We whose names are underwritten, the loyall subjects of our dread soveraigne Lord, King James, by ye Grace of God, of Great Britaine, France & Ireland King, Defender of ye Faith, etc. Haveing undertaken, for ye Glorie of God, and advancemente of ye Christian Faith and Honour of our King and countrie, a Voyage to plant ye first Colonie in ye Northerne part of Virginia, doe by these presents solemnly and mutually in ye Presence of God, and of one another, Covenant & Combine our selves togeather into a Civill body Politick, for our better Ordering & Preservation & Furtherance of ye ends aforesaid; and by Vertue hearof to enact, constitute, and frame such just & equall lawes, ordinances, Acts, Constitutions & Offices, from Time to Time, as shall be thought most meete & convenient for ye generall good of ye Colonie, unto which we promise all due submission and obedience.

In witnes wherof we have hereunder subscribed our Names at Cap. Codd ye 11 of November, in ye year of ye Raigne of our Soveraigne Lord King James, of England, France & Ireland ye Eighteenth, and of Scotland ye fiftie fourth Ano: Dom. 1620." John Carver, William Bradford, Edward Winslow, William Brewster, Isaac Allerton, Miles Standish, John Alden, Samuel Fuller, Christopher Martin, William Mullins, William White, Richard Warren, John Howland, Stephen Hopkins, Edward Tilley, John Tilley, Francis Cook, Thomas Rogers, Thomas Tinker, John Ridgedale, Edward Fuller, John Turner, Francis Eaton, James Chilton, John Crackstone, John Billington, Moses Fletcher, John Goodman, Degory Priest, Thomas Williams, Gilbert Winslow, Edward Margeson, Peter Brown, Richard Britteridge, George Soule, Richard Clarke, Richard Gardiner, John Allerton, Thomas English, Edward Doty, Edward Leister.

Comparative Rank in Army and Navy. In the army and the navy care is taken to provide like grades or rank for these branches of the Government service. There are four grades of field officers and equal fleet officer grades; three grades of regimental officers, with corresponding grades of ship officers; three military company grades and three equivalent subordinate grades of ship officers. In the comparative table below the figures at the left of each name will assist the reader to identify corresponding grades:

FIELD OFFICERS:	FLEET OFFICERS:
1 General, $13,500.	1 Admiral, $13,000.
2 Lieutenant-General, $11,000.	2 Vice-Admiral, $9,000.
3 Major-Generals, $7,500.	3 Rear-Admirals, $6,000.
4 Brigadier-Generals, $5,500.	4 Commodores, $5,000.
REGIMENTAL OFFICERS:	SHIP OFFICERS:
5 Colonels, $3,500 to $4,500.	5 Captains, $4,500.
6 Lieutenant-Colonels, $3,000 to $4,000.	6 Commanders, $3,500.
7 Majors, $2,500 to $3,500.	7 Lieutenant Commanders, $2,800.
COMPANY OFFICERS:	SUBORDINATE SHIP OFFICERS:
8 Captains, $1,800 to $2,800	8 Lieutenants, $2,400 to $2,600.
9 First Lieutenants, $1,500 to $2,240.	9 Masters, $1,800 to $2,000.
10 Second Lieutenants, $1,400 to $2,100.	10 Ensigns, $1,200 to $1,400.

The salaries in the two branches do not harmoinze so exactly. For lists of pay of all officers, see OFFICERS OF THE ARMY and OFFICERS OF THE NAVY.

Compromise of 1850, otherwise known as the Omnibus Bill, was a Congressional act growing out of the discussion of slavery as it pertained to the territory acquired two years before from Mexico. In 1850 California adopted a Constitution which forever prohibited slavery within its limits. This document was highly satisfactory to the North, but the South would not agree that California should be admitted as a State with that objectionable clause unless another State were at the same time created favorable to slavery. Naturally the organization of all the territory acquired from Mexico was earnestly discussed in connection with the issue in California. Henry Clay pro-

posed a compromise containing seven distinct propositions, as follows:

(1) The postponement of admission of new States formed out of Texas until Texas should make such demands.

(2) The admission of California as a free State.

(3) The organization of all territory acquired from Mexico, excepting California and that within the Wilmot Proviso, as the Territories of New Mexico and Utah.

(4) The combination of the third and fourth provisions in one bill.

(5) The establishment of the Texas boundaries and the payment to that State of $10,000,000 if it would abandon its claims on New Mexico.

(6) More effectual laws for the return of fugitive slaves to their masters in any slave State.

(7) Abolition of the slave trade in the District of Columbia, but slavery to be left there unmolested.

When this bill was first reported out of committee, it contained but two propositions; the others were added from time to time as compromises, and these brought from the opposition the ironical comment that the bill was like an omnibus—there was always room for something more in it. All of the seven propositions enumerated became laws, and they were in force until 1854, when the Kansas-Nebraska Bill virtually repealed them. See KANSAS-NEBRASKA BILL.

Compromises of the Constitution. In the Convention of 1787, otherwise known as the Constitutional Convention, it was inevitable that there should be serious differences of opinion on questions of great importance to the new nation. On one point only did all the members seem to be in harmony: the Articles of Confederation [q. v.] had proved inadequate to the needs of the Union of the States, and better fundamental law was imperative. While the Convention in four months produced "the most wonderful document ever conceived by the brain of man within so short a period" (Gladstone), many of its provisions were the result of compromises between contending factions. The first division was over the kind of government which should be established—whether each State should be in every respect supreme within its own bounds or be inferior to a strong national, centralized Government. The close student can see in the Constitution as adopted evi-

dences of remarkable fairness to both sides in the settlement of the vexed problem.

Another point of contention was the question of representation in the Senate and House of Representatives. To give to each branch its members according to population would forever place controlling power in the hands of the large and populous States, while to limit the members of each branch to two, three, or four men from each State would give the small commonwealths an advantage not at all proportionate to their size and importance. The result of the extended debate on this point gave the States absolute equality in the Senate and provided membership in the House of Representatives proportionate to the population.

One of the elements of weakness of the Articles of Confederation was the lack of power to regulate commerce. Nearly all the States were inclined to give to Congress the entire supervision of commercial questions; those opposing the proposition were the ones whose industries were almost exclusively the cultivation of rice, tobacco and cotton, and they feared the adoption of an export tax, which while general in its application, would fall upon them with especial severity and jeopardize their markets abroad. Accordingly, by a satisfactory compromise, Congress assumed complete control over commerce, except that it was never to levy an export tax.

From the earliest days of our national life, slavery questions perplexed our statesmen. At least two States—South Carolina and Georgia—refused to enter the Union if the slave trade were to be prohibited or even discriminated against. They secured a compromise from the radical, anti-slavery wing to the effect that for twenty years (until 1808) importation of slaves should not be prohibited, but in the meantime a tax not to exceed ten dollars per head might be imposed on slaves brought into the country, in the discretion of Congress. It may be stated, in passing, that as soon as the Constitutional limitation expired, all slave-trading was abolished. Two other concessions to the slave States were made in the convention; the first referred to the return of fugitive slaves, and the second

allowed the counting of three-fifths of the slaves as "persons" in fixing the basis of representation of a State in the House of Representatives.

Comptroller (also spelled Controller), an officer of a State, city or corporation, whose duty is to examine and verify accounts, by comparing them with registers of account or vouchers. In many instances money can be legally paid out only after bills are approved by the Comptroller.

Comptroller of the Currency, an officer of the United States Government, in the Treasury Department, having direct supervision of all banks chartered under the National Bank Act. He is appointed by the President, on the recommendation of the Secretary of the Treasury, by and with the advice and consent of the Senate, and holds office for a term of five years, unless sooner removed by the President for reasons which he must communicate to the Senate. His salary is $5,000 per year. The Comptroller is required to make an annual report to Congress, at the commencement of its session, embracing the following information:

1. *Condition of National Banks.* A summary of the state of every National bank at the date the latest reports were made to him, with an abstract of the whole amount of banking capital involved, the whole amount of their debts and liabilities, the amount of circulating notes (National bank bills) outstanding, and the total amount of resources, specifying the amount of lawful money held by them at the time of said reports, and such other facts known to him relating to the banks as may in his judgment be useful to Congress.

2. *Closed Banks.* A statement of the banks whose business has been closed during the year, with the amount of their circulation redeemed and the amount yet outstanding.

3. *Amendments Proposed.* Any amendment to the laws relative to banking by which, in his judgment, the system may be improved.

4. *Condition of Banks Other than National.* A statement exhibiting the resources and liabilities and condition of State banks, banking companies and savings banks organized under

the laws of the several States and Territories, such information to be obtained from reports of such banks to their State authorities; where reports cannot be obtained, the deficiency is to be supplied from such authentic sources as may be available.

5. *Employes and Expenses.* The names and compensation of the clerks employed by him, and the whole amount of expenses of the banking department for the year.

The foregoing list of topics enumerated in his annual report indicates in large measure the scope of the Comptroller's duties. To this may be added that in case of the failure of a National bank or irregularity in its conduct, it is his duty to appoint a receiver to take control of the institution and close up its affairs, or to permit it under certain conditions to resume business upon a lawful basis. To keep the Comptroller informed as to the conduct of the banks, a large force of National bank examiners is constantly employed under his direction, and they make careful personal investigation of all banks at various times each year. See NATIONAL BANK ACT.

Comptroller of the Treasury, the chief officer of the Treasury Department of the United States next below the Secretary of the Treasury and his two Assistant Secretaries. The office was created in 1789, and in 1817 a Second Comptroller was provided for. The First Comptroller examines all accounts which are passed by the First, Fifth, and Sixth Auditors of the Government and certifies to their correctness. He must countersign all warrants drawn for the payment of money by the Secretary of the Treasury, and thus he controls absolutely all payments in the Department. Any proposed payment he deems not strictly in conformity with Congressional appropriation he may refuse to sanction, and there is no appeal from his decision except to Congress.

The Second Comptroller examines the accounts of the Second, Third, and Fourth Auditors, and certifies to their correctness. He countersigns all warrants for the payment of money issued by the Secretary of War and the Secretary of the Navy. He has here the same veto power on improper expenditures that the First Comptroller exercises in the Treas-

ury Department. The warrants from the other Departments are divided between the two Comptrollers. The salary is $5,500 per year, and appointment is by the President, upon recommendation of the Secretary of the Treasury, by and with the advice and consent of the Senate.

Concurrent Resolution. See RESOLUTION.

Confederate States. The Confederate States of America was a short-lived republic instituted within the territorial limits of the United States by eleven seceding States of the American Union, existing from February 14, 1861, at which date its first Congress convened, to March 18, 1865, the date of adjournment of its second and last Congress. The cause of secession was the question of African slavery, long a matter of heated disputation between the North and the South.

The first legislative move towards a separate Government which should recognize the rights of the slave-holding section occurred in a convention held at Columbia, South Carolina, December 17, 1860, but (on account of epidemic) adjourned to Charleston, where, on December 20, the following ordinance of secession was passed:

> We, the people of the State of South Carolina, in convention assembled, do declare and ordain, and it is hereby declared and ordained, that the ordinance adopted by us in convention, on the twenty-third day of May, in the year of our Lord 1788, whereby the Constitution of the United States was ratified, and also all acts and parts of acts of the General Assembly of this State ratifying amendments of the said Constitution, are hereby repealed; and that the Union now subsisting between South Carolina and other States, under the name of the United States of America, is hereby dissolved.

The table below shows the rapid progress of the movement. The Confederacy began to assume tangible form, on the day the ordinance was approved, with the secession of South Carolina:

State.	Act of Secession.	Vote
South Carolina	Dec. 20, 1860	Unanimous.
Mississippi	Jan. 9, 1861	84 yeas, 15 nays.
Florida	" 10, "	62 " 7 "
Alabama	" 11, "	61 " 39 "

State.	Act of Secession.	Vote.
Georgia	Jan. 19, 1861	208 yeas, 89 nays.
Louisiana	" 26, "	113 " 17 "
Texas	Feb. 1, "	166 " 7 "
Virginia	Apr. 17, "	88 " 55 "
Arkansas	May 6, "	69 " 1 "
North Carolina	" 21, "	Unanimous.
Tennessee	June 8, "	.....

When the Charleston convention adjourned, it was voted that the same delegates should meet at Montgomery, Alabama, on February 4, 1861. Here, on the 18th of February, Jefferson Davis was inaugurated President of the Confederacy, with Alexander H. Stephens as Vice-President; the Constitution was adopted March 11; the permanent Government was definitely established February 22, at the designated captial, Richmond, Virginia. The President's Cabinet at first con-

CONFEDERATE TREASURY NOTE.

tained the following men, but several changes occurred in its personnel during the three years in which it was at the head of the Confederacy's affairs:

Secretary of State, Robert Toombs,
Secretary of Treasury, C. J. Memminger,
Secretary of War, L. Pope Walker,
Secretary of Navy, Steph. R. Mallory,
Attorney-General, Judah P. Benjamin,
Postmaster-General, John H. Reagan.

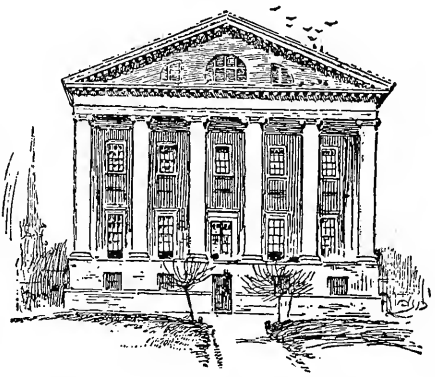
The Confederate Congress at the height of its power numbered twenty-six Senators, counting two each for a short time from Kentucky and Missouri, and one hundred six Representatives. There were four sessions of what was known as the Provisional Congress; the first meeting February 4, 1861, and the last on November 18 of that year. The permanent Congresses under the Confederacy were two in number; the first organized on February 18, 1862, held four sessions and adjourned February 18, 1864; the second met May 2, 1864, and concluded the labors of two sessions March 18, 1865. After the restoration of peace between the two sections, the States of the fallen Confederacy were re-admitted to the Union in the following order:

RE-ADMITTED TO THE UNION	DATE	NEW CONSTITUTION	
		ADOPTED	RATIFIED
Alabama	June 25, 1868	Nov. 5, 1867	Nov. 16, 1875
Arkansas	" 22, 1868	Jan. 7, 1868	Mar. 13, 1868
Florida	" 25, 1868	Feb. 25, 1868	May 4, 1868
Georgia	July 15, 1870	Dec. 8, 1867	Apr. 20, 1868
Louisiana	June 25, 1868	Nov. 23, 1867	Aug. 17, 1867
Mississippi	Feb. 23, 1870	Jan. 7, 1868	Dec. 1, 1868
North Carolina	June 25, 1868	Feb. 14, 1868	July 2, 1868
South Carolina	" 25, 1868	Jan. 14, 1868	Apr. 14, 1868
Tennessee	July 24, 1866	" 9, 1865	Feb. 22, 1865
Texas	Mar. 30, 1870	Feb. 10, 1866	June 25, 1866
Virginia	Jan. 26, 1870	Dec. 3, 1867	July 6, 1869

All the States represented in both Houses of the United States Congress, May 23, 1872.

The War. For the history of the army and navy of the Confederacy and the fortunes of the war, consult a good textbook. Lee's "History of the United States" presents the great conflict from the pro-slavery standpoint, and is doubtless the most reliable to be found from the Southern view point. See CONFEDERATE STATES, CONSTITUTION OF; ADMISSION OF STATES TO THE UNION.

Confederate States, CONSTITUTION OF. The first Confederate Constitution was the so-called "Provisional Constitution," under which the new Government was hurriedly launched. It was adopted at a convention of delegates from the Confederate States, held in Montgomery, Alabama, February 9, 1861, at which were present representatives from South Carolina, Georgia, Alabama, Florida, Mississippi and Louisiana. The permanent Constitution was adopted March 11, 1861, and was ratified by the States of the Confederacy between that date and May 21.



CAPITOL BUILDING OF THE CONFEDERACY.

The full text of the Constitution of the Confederacy is given below:

CONSTITUTION OF THE CONFEDERATE STATES OF AMERICA.

We, the people of the Confederate States, each State acting in its sovereign and independent character, in order to form a permanent federal government, establish justice, insure domestic tranquillity, and secure the blessings of liberty to ourselves and our posterity—invoking the favor and guidance of Almighty God—do ordain and establish this constitution for the Confederate States of America.

ARTICLE I.

SECTION 1.

1. All legislative powers herein delegated shall be vested in a Congress of the Confederate States, which shall consist of a Senate and House of Representatives.

SECTION 2.

1. The House of Representatives shall be composed of members chosen every second year by the people of the several States; and the electors in each State shall be citizens of the Confederate States, and have the qualifications requisite for electors of the most numerous branch

of the State legislature; but no person of foreign birth, not a citizen of the Confederate States, shall be allowed to vote for any officer, civil or political, State or federal.

2. No person shall be a representative who shall not have attained the age of twenty-five years, and be a citizen of the Confederate States, and who shall not, when elected, be an inhabitant of that State in which he shall be chosen.

3. Representatives and direct taxes shall be apportioned among the several States which may be included within this Confederacy, according to their respective numbers, which shall be determined by adding to the whole number of free persons, including those bound to service for a term of years, and excluding Indians not taxed, three-fifths of all slaves. The actual enumeration shall be made within three years after the first meeting of the Congress of the Confederate States, and within every subsequent term of ten years, in such manner as they shall by law direct. The number of representatives shall not exceed one for every 50,000, but each State shall have at least one representative; and until such enumeration shall be made, the State of South Carolina shall be entitled to choose six; the State of Georgia, ten; the State of Alabama, nine; the State of Florida, two; the State of Mississippi, seven; the State of Louisiana, six; and the State of Texas, six.

4. When vacancies happen in the representation from any State, the executive authority thereof shall issue writs of election to fill such vacancies.

5. The House of Representatives shall choose their speaker and other officers; and shall have the sole power of impeachment; except that any judicial or other federal officer resident and acting solely within the limits of any State, may be impeached by a vote of two-thirds of both branches of the legislature thereof.

SECTION 3.

1. The Senate of the Confederate States shall be composed of two senators from each State, chosen for six years by the legislature thereof, at the regular session next immediately preceding the commencement of the term of service; and each senator shall have one vote.

2. Immediately after they shall be assembled, in consequence of the first election, they shall be divided as equally as may be into three classes. The seats of the senators of the first class shall be vacated at the expiration of the second year; of the second class at the expiration of the fourth year; and of the third class at the expiration of the sixth year; so that one-third may be chosen every second year; and if vacancies happen by resignation or otherwise during the recess of the legislature of any State, the executive thereof may make temporary appointments, until the next meeting of the legislature, which shall then fill such vacancies.

3. No person shall be a senator, who shall not have attained the age of thirty years, and be a citizen of the Confederate States; and who

shall not, when elected, be an inhabitant of the State for which he shall be chosen.

4. The Vice-President of the Confederate States shall be president of the Senate, but shall have no vote, unless they be equally divided.

5. The Senate shall choose their other officers, and also a president *pro tempore*, in the absence of the Vice-President, or when he shall exercise the office of President of the Confederate States.

6. The Senate shall have sole power to try all impeachments. When sitting for that purpose they shall be on oath or affirmation. When the President of the Confederate States is tried, the chief-justice shall preside; and no person shall be convicted without the concurrence of two-thirds of the members present.

7. Judgment in cases of impeachment shall not extend further than to removal from office, and disqualification to hold and enjoy any office of honor, trust, or profit, under the Confederate States; but the party convicted shall, nevertheless, be liable to and subject to indictment, trial, judgment, and punishment according to law.

SECTION 4.

1. The times, places, and manner of holding elections for senators and representatives shall be prescribed in each State by the legislature thereof, subject to the provisions of this constitution; but the Congress may, at any time, by law, make or alter such regulations, except as to the times and places of choosing senators.

2. The Congress shall assemble at least once in every year; and such meeting shall be on the first Monday in December, unless they shall, by law, appoint a different day.

SECTION 5.

1. Each House shall be the judge of the elections, returns, and qualifications of its own members, and a majority of each shall constitute a quorum to do business; but a smaller number may adjourn from day to day, and may be authorized to compel the attendance of absent members, in such manner and under such penalties as each House may provide.

2. Each House may determine the rules of its proceedings, punish its members for disorderly behavior, and, with the concurrence of two-thirds of the whole number, expel a member.

3. Each House shall keep a journal of its proceedings, and from time to time publish the same, excepting such part as may in its judgment require secrecy, and the ayes and noes of the members of either House, on any question, shall, at the desire of one-fifth of those present, be entered on the journal.

4. Neither House, during the session of Congress, shall, without the consent of the other, adjourn for more than three days, nor to any other place than that in which the two Houses shall be sitting.

SECTION 6.

1. The senators and representatives shall receive a compensation for their services, to be ascertained by law, and paid out of the treasury of the Confederate States. They shall, in all cases except treason, felony, and breach of peace, be privileged from arrest during their attendance at the session of their respective Houses, and in going to and returning from the same; and for any speech or debate in either House, they shall not be questioned in any other place.

2. No senator or representative shall, during the time for which he was elected, be appointed to any civil office under the authority of the Confederate States, which shall have been created, or the emoluments whereof shall have been increased, during such time; and no person holding any office under the Confederate States shall be a member of either House during his continuance in office. But Congress may, by law, grant to the principal officer in each of the executive departments a seat upon the floor of either House with the privilege of discussing any measure appertaining to his department.

SECTION 7.

1. All bills for raising the revenue shall originate in the House of Representatives; but the Senate may propose or concur with amendments as on other bills.

2. Every bill which shall have passed both Houses shall, before it becomes a law, be presented to the President of the Confederate States; if he approve he shall sign it; but if not, he shall return it with his objections to that House in which it shall have originated, who shall enter the objections at large on their journal, and proceed to reconsider it. If, after such reconsideration, two-thirds of that House shall agree to pass the bill, it shall be sent, together with the objections, to the other House, by which it shall likewise be reconsidered, and if approved by two-thirds of that House, it shall become a law. But in all such cases, the votes of both Houses shall be determined by yeas and nays, and the names of the persons voting for and against the bill shall be entered on the journal of each House respectively. If any bill shall not be returned by the President within ten days (Sundays excepted) after it shall have been presented to him, the same shall be a law, in like manner as if he had signed it, unless the Congress, by their adjournment, prevent its return; in which case it shall not be a law. The President may approve any appropriation and disapprove any other appropriation in the same bill. In such case he shall, in signing the bill, designate the appropriations disapproved; and shall return a copy of such appropriations, with his objections, to the House in which the bill shall have originated; and the same proceedings shall then be had as in case of other bills disapproved by the President.

3. Every order, resolution, or vote, to which the concurrence of both Houses may be necessary (except on questions of adjournment), shall be

presented to the President of the Confederate States; and before the same shall take effect shall be approved by him; or, being disapproved by him, shall be repassed by two-thirds of both Houses, according to the rules and limitations prescribed in case of a bill.

SECTION 8.

The Congress shall have power—

1. To lay and collect taxes, duties, imposts, and excises, for revenue necessary to pay the debts, provide for the common defense, and carry on the government of the Confederate States; but no bounties shall be granted from the treasury; nor shall any duties or taxes on importations from foreign nations be laid to promote or foster any branch of industry; and all duties, imposts, and excises shall be uniform throughout the Confederate States.

2. To borrow money on the credit of the Confederate States.

3. To regulate commerce with foreign nations, and among the several States, and with the Indian tribes; but neither this, nor any clause contained in the constitution, shall ever be construed to delegate the power to Congress to appropriate money for any internal improvement intended to facilitate commerce; except for the purpose of furnishing lights, beacons, and buoys, and other aids to navigation upon the coasts, and the improvement of harbors, and the removing of obstructions in river navigation; in all which cases, such duties shall be laid on the navigation facilitated thereby, as may be necessary to pay the costs and expenses thereof.

4. To establish uniform laws of naturalization, and uniform laws on the subject of bankruptcies throughout the Confederate States, but no law of Congress shall discharge any debt contracted before the passage of the same.

5. To coin money, regulate the value thereof, and of foreign coin, and fix the standard of weights and measures.

6. To provide for the punishment of counterfeiting the securities and current coin of the Confederate States.

7. To establish post-offices and post-routes; but the expenses of the post-office department, after the first day of March, in the year of our Lord eighteen hundred and sixty-three, shall be paid out of its own revenues.

8. To promote the progress of science and useful arts, by securing for limited times to authors and inventors the exclusive right to their respective writings and discoveries.

9. To constitute tribunals inferior to the Supreme Court.

10. To define and punish piracies and felonies committed on the high seas, and offences against the law of nations.

11. To declare war, grant letters of marque and reprisal, and make rules concerning captures on land and on water.

12. To raise and support armies; but no appropriation of money to that use shall be for a longer term than two years.

13. To provide and maintain a navy.

14. To make rules for government and regulation of the land and naval forces.

15. To provide for calling forth the militia to execute the laws of the Confederate States, suppress insurrections, and repel invasions.

16. To provide for organizing, arming, and disciplining the militia, and for governing such part of them as may be employed in the service of the Confederate States; reserving to the States, respectively, the appointment of the officers, and the authority of training the militia according to the discipline prescribed by Congress.

17. To exercise exclusive legislation, in all cases whatsoever, over such district (not exceeding 10 miles square) as may, by cession of one or more States, and the acceptance of Congress, become the seat of the government of the Confederate States; and to exercise a like authority over all places purchased by the consent of the legislature of the State in which the same shall be, for the erection of forts, magazines, arsenals, dock-yards, and other needful buildings, and

18. To make all laws which shall be necessary and proper for carrying into execution the foregoing powers, and all other powers vested by this constitution in the government of the Confederate States, or in any department or officer thereof.

SECTION 9.

1. The importation of negroes of the African race, from any foreign country, other than the slave-holding States or Territories of the United States of America, is hereby forbidden; and Congress is required to pass such laws as shall effectually prevent the same.

2. Congress shall also have power to prohibit the introduction of slaves from any State not a member of, or Territory not belonging to, this Confederacy.

3. The privilege of the writ of *habeas corpus* shall not be suspended, unless when in case of rebellion or invasion the public safety may require it.

4. No bill of attainder, or *ex post facto* law, or law denying or impairing the right of property in negro slaves, shall be passed.

5. No capitation or other direct tax shall be laid unless in proportion to the census or enumeration hereinbefore directed to be taken.

6. No tax or duty shall be laid on articles exported from any State, except by a vote of two-thirds of both Houses.

7. No preference shall be given by any regulation of commerce or revenue to the ports of one State over those of another.

8. No money shall be drawn from the treasury but in consequence of appropriations made by law; and a regular statement and account

of the receipts and expenditures of all public money shall be published from time to time.

9. Congress shall appropriate no money from the treasury except by a vote of two-thirds of both Houses, taken by yeas and nays, unless it be asked and estimated for by some one of the heads of departments, and submitted to Congress by the President; or for the purpose of paying its own expenses and contingencies; or for the payment of claims against the Confederate States, the justice of which shall have been judicially declared by a tribunal for the investigation of claims against the Government, which it is hereby made the duty to Congress to establish.

10. All bills appropriating money shall specify in federal currency the exact amount of each appropriation and the purposes for which it is made; and Congress shall grant no extra compensation to any public contractor, officer, agent, or servant, after such contract shall have been made or such service rendered.

11. No title of nobility shall be granted by the Confederate States; and no person holding any office of profit or trust under them shall, without the consent of Congress, accept of any present, emoluments, office, or title of any kind whatever, from any king, prince, or foreign state.

12. Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech or of the press; or the right of the people peaceably to assemble and petition the Government for a redress of grievances

13. A well-regulated militia being necessary to the security of a free State, the right of the people to keep and bear arms shall not be infringed.

14. No soldier shall, in time of peace, be quartered in any house without the consent of the owner; nor in time of war, but in a manner prescribed by law.

15. The right of the people to be secure in their persons, houses, papers, and against unreasonable searches and seizures, shall not be violated; and no warrant shall issue but upon probable cause, supported by oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized.

16. No person shall be held to answer for a capital or otherwise infamous crime, unless on a presentment or indictment of a grand jury, except in cases arising in the land or naval forces, or in the militia, when in actual service, in time of war, or public danger; nor shall any person be subject for the same offence to be twice put in jeopardy of life or limb; nor be compelled in any criminal case to be a witness against himself; nor be deprived of life, liberty, or property, without due process of law; nor shall any private property be taken for public use without just compensation.

17. In all criminal prosecutions, the accused shall enjoy the right to a speedy and public trial by an impartial jury of the State and district

wherein the crime shall have been committed, which district shall have been previously ascertained by law, and to be informed of the nature and cause of the accusation; to be confronted with the witnesses against him; to have compulsory process for obtaining witnesses in his favor; and to have the assistance of counsel for his defence.

18. In suits of common law, where the value in controversy shall exceed $20, the right of trial by jury shall be preserved; and no fact so tried by a jury shall be otherwise re-examined in any court of the Confederacy, than according to the rules of the common law.

19. Excessive bail shall not be required, nor excessive fines imposed, nor cruel or unusual punishment inflicted.

20. Every law, or resolution having the force of law, shall relate to but one subject, and that shall be expressed in the title.

SECTION 10.

1. No State shall enter into any treaty, alliance, or confederation; grant letters of marque and reprisal; coin money; make anything but gold and silver coin a tender in payment of debts; pass any bill of attainder, or *ex post facto* law, or law impairing the obligation of contracts; or grant any title of nobility.

2. No State shall, without the consent of Congress, lay any imposts or duties on imports or exports, except what may be absolutely necessary for executing its inspection laws; and the net produce of all duties and imposts, laid by any State on imports or exports, shall be for the use of the treasury of the Confederate States; and all such laws shall be subject to the revision and control of Congress.

3. No State shall, without the consent of Congress, lay any duty of tonnage, except on sea-going vessels, for the improvement of its rivers and harbors navigated by the said vessels; but such duties shall not conflict with any treaties of the Confederate States with foriegn nations; and any surplus of revenue, thus derived, shall, after making such improvement, be paid into the common treasury; nor shall any State keep troops or ships-of-war in time of peace, enter into any agreement or compact with another State, or with a foreign power, or engage in war, unless actually invaded, or in such imminent danger as will not admit of delay. But when any river divides or flows through two or more States, they may enter into compacts with each other to improve the navigation thereof.

ARTICLE II.

SECTION 1.

1. The Executive power shall be vested in a President of the Confederate States of America. He and the Vice-President shall hold their offices for the term of six years; but the President shall not be re-eligible. The President and Vice-President shall be elected as follows:

2. Each State shall appoint, in such manner as the Legislature thereof may direct, a number of electors equal to the whole number of senators

and representatives to which the State may be entitled in Congress; but no Senator or Representative, or person holding an office of trust or profit under the Confederate States, shall be appointed an elector.

3. The electors shall meet in their respective States and vote by ballot for President and Vice-President, one of whom, at least, shall not be an inhabitant of the same State with themselves; they shall name in their ballots the person voted for as President, and in distinct ballots the person voted for as Vice-President, and they shall make distinct lists of all persons voted for as President, and of all persons voted for as Vice-President, and of the number of votes for each; which list they shall sign, and certify, and transmit, sealed, to the Government of the Confederate States, directed to the president of the Senate. The president of the Senate shall, in the presence of the Senate and House of Representatives, open all the certificates, and the votes shall then be counted; the person having the greatest number of votes for President shall be the President, if such number be a majority of the whole number of electors appointed; and if no person shall have such majority, then, from the persons having the highest numbers, not exceeding three, on the list of those voted for as President, the House of Representatives shall choose immediately, by ballot, the President. But, in choosing the President, the votes shall be taken by States, the representatives from each State having one vote; a quorum for this purpose shall consist of a member or members from two-thirds of the States, and a majority of all the States shall be necessary to a choice. And if the House of Representatives shall not choose a President, whenever the right of choice shall devolve upon them, before the fourth day of March next following, then the Vice-President shall act as President, as in case of the death or other constitutional disability of the President.

4. The person having the greatest number of votes as Vice-President shall be the Vice-President, if such a number be a majority of the whole number of electors appointed; and if no person have a majority, then from the two highest numbers on the list, the Senate shall choose the Vice-President; a quorum for the purpose shall consist of two-thirds of the whole number of Senators, and a majority of the whole number shall be necessary for a choice.

5. But no person constitutionally ineligible to the office of President shall be eligible to that of Vice-President of the Confederate States.

6. The Congress may determine the time of choosing the electors, and the day on which they shall give their votes; which day shall be the same throughout the Confederate States.

7. No person except a natural born citizen of the Confederate States, or a citizen thereof at the time of the adoption of this constitution, or a citizen thereof born in the United States prior to the 20th December, 1860, shall be eligible to the office of President; neither shall any person be eligible to that office who shall not have attained the age of thirty-five

years, and been fourteen years a resident within the limits of the Confederate States, as they may exist at the time of his election.

8. In case of the removal of the President from office, or of his death, resignation, or inability to discharge the powers and duties of the said office, the same shall devolve on the Vice-President; and the Congress may, by law, provide for the case of removal, death, resignation, or inability both of the President and the Vice-President, declaring what officer shall then act accordingly until the disability be removed or a President shall be elected.

9. The President shall, at stated times, receive for his services a compensation, which shall neither be increased nor diminished during the period for which he shall have been elected; and he shall not receive within that period any other emolument from the Confederate States, or any of them.

10. Before he enters on the execution of the duties of his office, he shall take the following oath or affirmation:

"I do solemnly swear (or affirm) that I will faithfully execute the office of President of the Confederate States, and will, to the best of my ability, preserve, protect, and defend the constitution thereof."

SECTION 2.

1. The President shall be commander-in-chief of the army and navy of the Confederate States, and of the militia of the several States, when called into the actual service of the Confederate States; he may require the opinion, in writing, of the principal officer in each of the executive departments, upon any subject relating to the duties of their respective offices; and he shall have power to grant reprieves and pardons for offences against the Confederate States, except in cases of impeachment.

2. He shall have power, by and with the advice and consent of the Senate, to make treaties, provided two-thirds of the Senators present concur; and he shall nominate, and, by and with the advice and consent of the Senate, shall appoint ambassadors, other public ministers, and consuls, judges of the Supreme Court, and all other officers of the Confederate States, whose appointments are not herein otherwise provided for, and which shall be established by law; but the Congress may by law vest the appointment of such inferior officers as they think proper in the President alone, in the courts of law, or in the heads of departments.

3. The principal officer in each of the executive departments, and all persons connected with the diplomatic service, may be removed from office at the pleasure of the President. All other civil officers of the Executive department may be removed at any time by the President, or other appointing power, when their services are unnecessary, or for dishonesty, incapacity, inefficiency, misconduct, or neglect of duty; and when so removed, the removal shall be reported to the Senate, together with the reasons therefor.

4. The President shall have power to fill all vacancies that may happen during the recess of the Senate, by granting commissions which shall expire at the end of the next session; but no person rejected by the Senate shall be reappointed to the same office during their ensuing recess.

SECTION 3.

1. The President shall, from time to time, give to the Congress information of the state of the Confederacy, and recommend to their consideration such measures as he shall judge necessary and expedient; he may, on extraordinary occasions, convene both Houses, or either of them; and, in case of disagreement between them, with respect to the time of adjournment, he may adjourn them to such time as he may think proper; he shall receive ambassadors and other public ministers; he shall take care that the laws be faithfully executed, and shall commission all the officers of the Confederate States.

SECTION 4.

1. The President and Vice-President, and all civil officers of the Confederate States, shall he removed from office on impeachment for, or conviction of, treason, bribery, or other high crimes and misdemeanors.

ARTICLE III.

SECTION 1.

1. The judicial power of the Confederate States shall be vested in one Superior Court, and in such inferior courts as the Congress may from time to time ordain and establish. The judges, both of the supreme and inferior courts, shall hold their offices during good behavior, and shall, at stated times, receive for their services a compensation, which shall not be diminished during continuance in office.

SECTION 2.

1. The judicial power shall extend to all cases arising under the constitution, the laws of the Confederate States, or treaties made or which shall be made under their authority; to all cases affecting ambassadors, other public ministers, and consuls; to all cases of admiralty or maritime jurisdiction; to controversies to which the Confederate States shall be a party; to controversies between two or more States; between a State and citizens of another State, where the State is plaintiff; between citizens claiming lands under grants of different States, and between a State or the citizens thereof, and foreign states, citizens, or subjects; but no State shall be sued by a citizen or subject of any foreign state.

2. In all cases affecting ambassadors, other public ministers, and consuls, and those in which a State shall be a party, the Supreme Court shall have original jurisdiction. In all the other cases before mentioned, the Supreme Court shall have appellate jurisdiction, both as to law and fact, with such exceptions and under such regulations as the Congress shall make.

3. The trial of all cases, except in cases of impeachment, shall be by jury, and such trial shall be held in the State where the said crimes shall have been committed; but when not committed within any State, the trial shall be at such place or places as the Congress may by law have directed.

SECTION 3.

1. Treason against the Confederate States shall consist only in levying war against them, or in adhering to their enemies, giving them aid and comfort. No person shall be convicted of treason unless on the testimony of two witnesses to the same overt act, or on confession in open court.

2. The Congress shall have power to declare the punishment of treason, but no attainder of treason shall work corruption of blood, or forfeiture, except during the life of the person attainted.

ARTICLE IV.

SECTION 1.

1. Full faith and credit shall be given in each State to the public acts, records, and judicial proceedings of every other State. And the Congress may, by general laws, prescribe the manner in which such acts, records, and proceedings shall be proved, and the effect thereof.

SECTION 2.

1. The citizens of each State shall be entitled to all the privileges and immunities of citizens of the several States, and shall have the right of transit and sojourn in any State of this Confederacy, with their slaves and other property; and the right of property in said slaves shall not be thereby impaired.

2. A person charged in any State with treason, felony, or other crime against the laws of such State, who shall flee from justice, and be found in another State, shall, on demand of the Executive authority of the State from which he fled, be delivered up to be removed to the State having jurisdiction of the crime.

3. No slave or other person having been held to service or labor in any State or Territory of the Confederate States, under the laws thereof, escaping or unlawfully carried into another, shall, in consequence of any law or regulation therein, be discharged from such service or labor; but shall be delivered up on claim of the party to whom such slave belongs, or to whom such service or labor may be due.

SECTION 3.

1. Other States may be admitted into this Confederacy by a vote of two-thirds of the whole House of Representatives, and two-thirds of the Senate, the Senate voting by States; but no new State shall be formed or erected within the jurisdiction of any other State; nor any State be formed by the junction of two or more States, or parts of States, without the consent of the legislatures of the States concerned as well as of the Congress.

2. The Congress shall have power to dispose of and make all needful rules and regulations concerning the property of the Confederate States, including the lands thereof.

3. The Confederate States may acquire new territory; and Congress shall have power to legislate and provide governments for the inhabitants of all territory belonging to the Confederate States, lying without the limits of the several States, and may permit them, at such times, and in such manner as it may by law provide, to form States to be admitted into the Confederacy. In all such territory, the institution of negro slavery, as it new exists in the Confederate States, shall be recognized and protected by Congress and by the territorial government; and the inhabitants of the several Confederate States and Territories shall have the right to take to such territory any slaves lawfully held by them in any of the States and Territories of the Confederate States.

4. The Confederate States shall guarantee to every State that now is or hereafter may become a member of this Confederacy, a republican form of government, and shall protect each of them against invasion; and on application of the legislature (or of the Executive when the legislature is not in session), against domestic violence.

ARTICLE V.

Section 1.

1. Upon the demand of any three States, legally assembled in their several conventions, the Congress shall summon a convention of all the States, to take into consideration such amendments to the constitution as the said States shall concur in suggesting at the time when the said demand is made; and should any of the proposed amendments to the constitution be agreed on by the said convention—voting by States—and the same be ratified by the legislatures of two-thirds of the several States, or by conventions in two-thirds thereof—as the one or the other mode of ratification may be proposed by the general convention—they shall thenceforward form a part of this constitution. But no State shall, without its consent, be deprived of its equal representation in the Senate.

ARTICLE VI.

Section 1.

1. The Government established by this constitution is the successor of the provisional Government of the Confederate States of America, and all the laws passed by the latter shall continue in force until the same shall be repealed or modified; and all officers appointed by the same shall remain in office until their successors are appointed and qualified, or the offices abolished.

2. All debts contracted and engagements entered into before the adoption of this constitution shall be as valid against the Confederate States under this constitution as under the provisional government.

3. This constitution, and the laws of the Confederate States made in pursuance thereof, and all treaties made, or which shall be made, under the authority of the Confederate States, shall be the supreme law of the land; and the judges in every State shall be bound thereby; anything in the Constitution or laws of any State to the contrary notwithstanding

4. The senators and representatives before mentioned, and the members of the several State legislatures, and all executive and judicial officers, both of the Confederate States and of the several States, shall be bound, by oath or affirmation, to support this constitution; but no religious test shall ever be required as a qualification to any office of public trust under the Confederate States.

5. The enumeration, in the constitution, of certain rights, shall not be construed to deny or disparage others retained by the people of the several States.

6. The powers not delegated to the Confederate States by the constitution, nor prohibited by it to the States, are reserved to the States, respectively, or to the people thereof.

ARTICLE VII.

SECTION 1.

1. The ratification of the conventions of five States shall be sufficient for the establishment of this constitution between the States so ratifying the same.

2. When five States shall have ratified this constitution in the manner before specified, the Congress, under the provisional constitution, shall prescribe the time for holding the election of President and Vice-President, and for the meeting of the electoral college, and for counting the votes and inaugurating the President. They shall also prescribe the time for holding the first election of members of Congress under this constitution, and the time for assembling the same. Until the assembling of such Congress, the Congress under the provisional constitution shall continue to exercise the legislative powers granted them; not extending beyond the time limited by the constitution of the provisional government.

Conference Committee. In Congress, when a bill has been passed by either House, it is sent to the other House to be voted upon. In the second body it may meet with much opposition and receive various amendments before its passage in that House. If any amendments are attached to a bill, the bill must be returned to the House in which it originated, that the amendment may be concurred in. No bill can become a law until it is approved in exactly the same terms by both the Senate and the House of Representatives. When any bill has thus been returned to the House in which it originated, in order

that that House may concur in amendments, it frequently happens that concurrence is impossible, because the proposed amendments may be distasteful to many members. If the bill is not of vital importance, it may be pigeonholed in committee and not heard of again. However, if its passage is necessary because it may carry appropriations, or because there is a strong demand for the enactment of legislation of that nature, then each House appoints a special committee to take up the bill and attempt to harmonize its opposing interests. Such a committee is called a conference committee, and its decision relative to the main bill and amendments is almost always accepted by both Houses and passed in the shape proposed.

Confirmation by the Senate. The framers of the Constitution intended that the three great Departments of the Government should exercise wholesome restraint upon each other. One provision looking to this end is that while the President is empowered to appoint men to certain important official positions the Senate shall concur in such appointments. Any appointment not deemed by the Senate to be for the best interests of the Government may be rejected, in which case another person must be named by the President. During recesses of Congress, which may extend over a period varying from four to seven months, any appointment of the President is valid from the day it is made until the end of the next session of the Senate, without Senatorial approval, the intent of the law being that during the next session the President will reappoint by sending the official's name to the Senate for confirmation. The wisdom of this check upon Executive authority was thus stated by Alexander Hamilton, in the *Federalist:*

> The blame of a bad nomination would fall upon the President singly and absolutely. The censure of rejecting a good one would lie entirely at the door of the Senate, aggravated by the consideration of their having counteracted the good intentions of the Executive. If an ill appointment should be made, the Executive for nominating, and the Senate for approving, would participate, though in different degrees, in the opprobrium and disgrace.

Congress. The law-making department of our National Government, consisting of two co-ordinate branches, the

Senate and the House of Representatives, is officially known as the Congress of the United States of America. The duties of this body are purely legislative, with one exception, although the Constitution adds to the Senate's legislative functions the duty of passing upon Presidential appointments and treaty-making with foreign powers. Both branches of Congress have duties, in cases of impeachment [q. v.], which are not legislative in nature.

Membership. The number of members in each branch is subject to periodical or occasional change. The Constitution provides that the Senate shall consist of two members from each State, chosen by the Legislature thereof; the Senate's membership, therefore, is ninety-two, when all the forty-six States (1908) are fully represented. The numerical strength of the House of Representatives is determined every ten years by the House itself. The Constitution stated the number which should comprise the House until the First Census was taken; the first legislation on the subject was in 1790, when it was declared that there should be 120 Representatives; in 1792 a new bill was passed which reduced the number to 105. The National census was first taken in 1790, and an enumeration has been made every ten years since that time. Immediately after the publication of the census returns, the House decides upon the number of members it shall contain for the ensuing ten years; this total is divided into the whole population of the country, to determine the number of people who shall be entitled to one Representative [See APPORTIONMENT].

The table below gives the figures for each decade:

Period	Number of Members	Ratio of Population
1789–1793	65	.....
1793–1803	105	33,000
1803–1813	141	33,000
1813–1823	181	35,000
1823–1833	212	40,000
1833–1843	240	47,700
1843–1853	223	70,680
1853–1863	234	93,423
1863–1873	241	127,381

Period	Number of Members	Ratio of Population
1873–1883	292	131,425
1883–1893	325	151,911
1893–1903	356	173,901
1903–1913	386	194,182
1913–1923	...	.....

By admission of new States during a decade, the number is increased, for each State is "entitled to at least one Representative." The actual number of Representatives has therefore usually been greater than that given above, owing to the admission of new States. Thus, the Fifty-second Congress (1891–1893) had 332 instead of 325; Washington, Montana, North Dakota, and South Dakota, having been admitted in 1889, and Idaho and Wyoming in 1890. When Utah was admitted in 1896, her Representative made the number 357 instead of 356. Oklahoma added five to the decreed 386.

Time of Meeting. Congress meets once each year, on the first Monday in December. The two Houses are privileged to choose a different day on which sessions shall commence, but they never have done so.

Length of a Congress. The life of each Congress extends over a period of two years—the single term of service of a Representative. There are therefore two regular sessions of each Congress, called by common consent the long session and the short session. The long session is the first, beginning on the first Monday in December and extending usually into the early weeks of the following summer. The short session begins on the first Monday of the following December and extends until noon on the fourth day of the following March, when it expires by limitation, as on that day the terms of all the Representatives end. The new Representatives, chosen for the following Congress, begin to serve on the fourth of March, and may be called at once into the active work of a special session, although they do not usually take the oath of office until the regular session, in December.

Salaries. The salaries of members of Congress have varied from six dollars per day to $7,500 per year and mileage.

The compensation for different periods is stated in the table below:

From 1789 to 1815, $6.00 per day.
From 1815 to 1817, $1,500 per year.
From 1817 to 1855, $8.00 per day.
From 1855 to 1865, $3,000 per year.
From 1865 to 1871, $5,000 per year.
From 1871 to 1874, $7,500 per year.
From 1874 to 1907, $5,000 per year.
From 1907 to ...., $7,500 per year.

Except for one year, 1795, when Senators received $7 per day, the pay of members of the two Houses has been the same. The Speaker of the House of Representatives now receives $12,000 per year. The President *pro tempore* of the Senate also receives $12,000, because he must hold himself in readiness to preside over the sessions of the Senate, in the event of the death, removal or temporary absence of the Vice-President, whose salary is $12,000.

The change in 1815 from $6 a day to $1,500 a year was not acceptable to the people, and as a result many members who voted for the increase were not elected to the next Congress. The change in 1871 by which fifty per cent was added to a Congressman's salary also met with great disfavor. Many more than half of those who voted for the increased compensation were not elected again.

Each Representative, since 1865, has been allowed a mileage of twenty cents a mile for travel to Washington at the beginning of each session, and from Washington to his home at the close of the session, by the most direct route. Each member is also allowed $125 each session for stationery for his official use.

The compensation of members of Congress is fixed by vote by the members themselves, subject, of course, to Executive veto. No Congress can raise the salaries of its own members; any change in compensation does not take effect until the next Congress convenes. See CHECKS UPON GOVERNMENT; EXECUTIVE DEPARTMENT; JUDICIAL DEPARTMENT; ORGANIZATION OF CONGRESS; SPEAKER OF THE HOUSE; VICE-PRESIDENT; SENATE; HOUSE OF REPRESENTATIVES.

Congress, COMMITTEES OF. See COMMITTEES OF CONGRESS.

Congress, ORGANIZATION OF. See ORGANIZATION OF CONGRESS.

Congresses, PROVINCIAL. See PROVINCIAL CONGRESSES.

Congressional Record. The Constitution provides that "each House of Congress shall keep a journal of its proceedings and from time to time publish the same, excepting such parts as may in their judgment require secrecy." For the first five years under the Constitution, the Senate's entire deliberations were behind closed doors, but the sessions of the House were open to the public. Beginning with the second session of the Third Congress, the Senate abandoned its exclusiveness, except the so-called "executive sessions," and the reports of both branches were published together. For many years the official publication of proceedings was called the *Congressional Globe*, but later the name was changed to *Congressional Record*. It is published during the night following each day's meeting of Congress, and it contains an accurate account of the proceedings of each House for the day before, the speeches being reported verbatim. A printed copy is laid on the desk of each member every morning, and all important Government officials are also provided with copies. It is mailed to public libraries, newspapers, etc., on request, and will be sent to any private citizen at a moderate subscription rate.

Congressional Representation. See REPRESENTATION IN CONGRESS.

Congressman, a name properly applied to a member of Congress, either a Senator or a Representative. Custom, however, has inappropriately narrowed the term until now it refers usually to a Representative only; a Senator is seldom referred to as a Congressman. The injustice of such a limitation is obvious. This popular application of the word is probably due to the fact that the Representative is elected from a Congressional district, and is therefore the Congress-man from said district. See SENATOR; REPRESENTATIVE; CONGRESS.

Congressman=at=Large, a member of the United States House of Representatives, elected by the ballots of all the

voters of his State, contrary to ordinary custom, which decrees election from Congressional districts. Seldom is a State represented by a Congressman-at-large, and then only under the following condition:

Every ten years Congress determines the number of Representatives for the ensuing decade. A State may have had twelve of these Representatives for the preceding ten years, in which event the counties of the State were divided into twelve Representative districts. Each district sent one member to the House of Representatives. Under a new apportionment, the same State may be entitled to thirteen Representatives. If a Congressional election occurs before the Legislature can change the districts from twevle to thirteen, by reapportionment, each of the twelve old districts may elect its Representative, as before, and the thirteenth may be chosen from the State at large. This plan is entirely feasible; each Representative, no matter where his district is located, really represents the whole State; the only reason that the district plan was ever devised was that each part of a State could thus be certain of representation in the State delegation in the House.

Connecticut was one of the original Thirteen Colonies; it declared itself a free and independent State in October, 1776. At the close of the Revolutionary War, the State claimed jurisdiction over part of the great territory north and west of the Ohio River, by virtue of its old colonial charter. This claim was finally relinquished, on condition of receiving the ownership of a large tract of land in what is now northeastern Ohio, called the Western Reserve. Before the admission of Ohio in 1803, all claims of Connecticut west of its present territorial limits were abandoned.

STATE SEAL OF CONNECTICUT.

Government. The present Constitution of Connecticut was adopted in 1818. It is somewhat difficult to secure amendments to that document, because they must be proposed

and agreed to by two successive Legislatures, by a two-thirds' vote of each House, and must then be presented to the people of the State for approval by a majority of the voters. The Executive power is vested in a Governor, Lieutenant-Governor, Secretary of State, and Comptroller, all elected every second year. The Legislature of the State is called the General Assembly, and consists of a Senate of not less than twenty-four and not more than thirty-six members, and a House of Representatives consisting of one or two members from each town. A town of fewer than 5,000 inhabitants returns one member; of more than 5,000, two members. All members of the General Assembly are chosen every two years. The remuneration of the Legislators is $300 for each regular session of the Assembly, and mileage once each way; for special sessions mileage only is allowed. The Judicial Department consists of a Supreme Court of Errors, which reviews the decisions of the next lower court, the Supreme Court. There are also Justices of the Peace.

Conscience Whigs. The Compromise of 1850 was accepted by many members of the Whig party as the easiest way of settling permanently the slavery question. There was a strong minority in the party which opposed this view, holding that it would not be settled until the system was abolished, denying that the compromise offered a safe method of disposing of the question. These dissenters were called Conscience Whigs, and they retaliated by naming the other wing Cotton Whigs. See Political Parties in the United States.

Conscription is a compulsory enrollment of citizens for military duty in times of great public danger. Justification for so stern a measure is based upon the general principle that a man who enjoys the protection of his Government and who may command its services in his behalf when his rights are abridged should be compelled to defend that Government when its existence is imperiled. Congress is given power, in Section 8 of Article I of the Constitution, to raise armies; the courts have held that this power carries with it the right of conscription, without which it might be impossible to secure

men in sufficient numbers. The first effort at conscription in the United States occurred during the War of 1812; the bill was called the "Draft of 1814," but it failed to pass both Houses of Congress. Numerous drafts were authorized during the Civil War, some of which led to rioting in the large cities. The Confederate authorities passed very stringent conscript laws and rigidly enforced them.

Conservative, an English political party, formerly the Tory party of the era of the American Revolution. It is the opponent of the Liberal, or radical party, and its platforms oppose all reform measures or changes either in Church or State, for which the time does not seem ripe. Gladstone was the greatest leader of the Conservative party.

Constable, the title applied to the chief constabulary officer or peace officer of a township; he is elected by the voters annually or biennially. Usually there is a Constitutional provision for four constables in each township of a State. They are charged with the maintenance of the public peace, and in the prosecution of their duties they arrest offenders, serve warrants, execute writs, etc. The name comes to us from medieval times, where the constable was the keeper or governor of a castle under the sovereign. Later, an officer bearing this title was the first military adviser of the king, and, in the latter's absence, commander-in-chief of the army. In England, at a date nearer the modern era, the constables had oversight of the king's peace in their several districts.

Constituent, one of a body of citizens whose interests in a certain direction are common and who, acting in unison, empower a representative to legislate for them. The people for whom the representative acts are called by him his constituency.

Constitution, AMENDMENTS TO THE. See AMENDMENTS TO THE CONSTITUTION; CONSTITUTION OF THE UNITED STATES.

Constitution, COMPROMISES OF THE. See COMPROMISES OF THE CONSTITUTION.

Constitution, CONSTRUCTION OF THE. In the early days of the United States Government there was much debate as to

the meaning of many sections of the Constitution and the intent of the framers of that document. A very large proportion of the people preferred to accept the document according to the exact statements of its clauses, refusing to admit the wisdom of applying any other possible meaning to any part of it. These people were called strict constructionists. It is quite evident from reading the Constitution that the construction of general provisions when applied to particular cases opens up possibility for wide disagreement as to the powers granted or acts permitted. When mere words are not sufficient to develop absolute meaning, recourse is had among lawyers to "construction of the law," by which the intention of lawmakers and the circumstances surrounding the case are taken into consideration. That body of the people who believe that the Constitution should be considered in this manner were called loose constructionists. Since the Civil War there has been practically no debate as to the construction which should be applied to Constitutional questions.

Constitutional Law, that branch of the law which relates to the rules and principles concerning the political structure of society. It deals wholly with problems involving man's relation to the complexities of his Government, leaving his relations to his fellow-men to the rules of action described in the civil and criminal laws.

Constitutional-Union Party, a political organization which took part in the election of 1860. It was formed from the remnants of the old Whig [q. v.] party, most of whose adherents had joined the new Republican [q. v.] party, and the Southern Know-Nothings [q. v.]. These two factions were drawn together by their common alarm at the rapid growth of sectionalism, and it was their hope to avert the war which was clearly approaching. The Presidential candidates of this new party were John Bell, of Tennessee, for the head of the ticket, and Edward Everett, of Massachusetts, for Vice-President. No declaration of principles was announced except the motto, "The Constitution of the Country, the Union of the States, and the Enforcement of the Laws." The party received thirty-nine

electoral votes; with the opening of the war it disbanded. See POLITICAL PARTIES IN THE UNITED STATES.

Constitution of the United States. The Articles of Confederation [q. v.] had not been in operation six months when it was evident to every impartial observer that they were in many respects defective as the fundamental law of the States. To remedy them a convention of delegates of all the States was frequently suggested. Such a demand was even made by various State Legislatures between 1781 and 1786. In the latter year a resolution of the Legislature of Virginia brought together a convention representing a number of States for the purpose of considering ways and means of advancing the commercial interests of the nation. This meeting was called the Annapolis Convention [q. v.]. Five States sent delegates and they reported unanimously that existing faults could not be remedied by any means at hand, as the trouble could be traced directly to the insufficient Articles of Confederation. It was recommended that a larger convention of all the States meet without delay to consider the Articles and amend them. This report attracted wide attention and when it reached the members of Congress it was approved. On February 21, 1787, Congress advised the States to send delegates to a National convention in Philadelphia, and May 14th was named as the date of meeting.

The number of delegates chosen to this convention was sixty-five; ten did not attend. The Convention remained in session until September 17, when its work was completed. It was found impossible to make satisfactory amendment or revision of the Articles of Confederation, and within the short space of four months a new Constitution was written. It is doubtless true that no other body of men in all the history of the world, regardless of the time employed, ever devised a system of government so admirable in its plan and so perfect in its operation as came from the hands of these fifty-five American patriots. That there was no unanimity of opinion in the convention is apparent from the fact that sixteen members refused to sign the completed Constitution or left the

convention before it was ready to be signed. The signatures of only thirty-nine of the members were appended to it. In Article VII it was provided that the Constitution should become effective as soon as it was ratified by nine States. Eventually, all the thirteen States gave it legality, in the following order, by vote of their Legislatures:

Delaware, Dec. 7, 1787; unanimously.
Pennsylvania, Dec 12, 1787; vote, 46 to 23.
New Jersey, Dec. 18, 1787; unanimously.
Georgia, Jan. 2, 1788; unanimously.
Connecticut, Jan. 9, 1788; vote, 128 to 40.
Massachusetts, Feb. 6, 1788; vote, 187 to 168.
Maryland, April 28, 1788; vote, 63 to 12.
South Carolina, May 23, 1788; vote, 149 to 73.
New Hampshire, June 21, 1788; vote, 57 to 46.
Virginia, June 25, 1788; vote, 89 to 79.
New York, July 26, 1788; vote, 30 to 28.
North Carolina, Nov. 21, 1789; vote, 193 to 75.
Rhode Island, May 29, 1790; vote, 34 to 32.

Every student of civil government should read with great interest the speech of Delegate Benjamin Franklin, on September 17, immediately preceding the formal signing of the document by the members present. It was reported by James Madison, in his "Journal," as follows:

"Mr. President: I confess that there are several parts of this Constitution which I do not at present approve, but I am not sure I shall never approve them. For, having lived long, I have experienced many instances of being obliged by better information, or fuller consideration, to change opinions even on important subjects which I once thought right, but found to be otherwise. It is therefore that, the older I grow, the more apt I am to doubt my own judgment, and to pay more respect to the judgment of others. Most men, indeed, as well as most sects in religion, think themselves in possession of all truth, and that wherever others differ from them it is so far error. Steele, a Protestant, in a dedication tells the Pope that the only difference between our churches, in their opinions of the certainty of their doctrines, is, 'the Church of Rome is infallible, and the Church of England is never in the wrong.' But though many private persons think almost as highly of their own infallibility as of that of their sect, few express it so naturally as a certain French lady who, in a dispute with her sister, said, 'I don't know how it happens, sister, but I meet with nobody but myself that is always in the right—*il n'y a que moi a toujours raison.*' In these sentiments, sir, I agree to this Constitution, with all its

faults, if they are such, because I think a General Government necessary for us, and there is no form of government but what may be a blessing to the people if well administered: and believe further, that this is likely to be well administered for a course of years, and can only end in despotism, as other forms have done before it, when the people shall become so corrupted as to need despotic government, being incapable of any other. I doubt, too, whether any other Convention we can obtain may be able to make a better Constitution. For when you assemble a number of men to have the advantage of their joint wisdom, you inevitably assemble with those men all their prejudices, their passions, their errors of opinion, their local interests, and their selfish views. From such an assembly can a perfect production be expected? It, therefore, astonishes me, sir, to find this system approaching so near to perfection as it does: and I think it will astonish our enemies, who are waiting with confidence to hear that our councils are confounded, like those of the builders of Babel, and that our States are on the point of separation, only to meet hereafter for the purpose of cutting one another's throats. Thus I consent, sir, to this Constitution because I expect no better, and because I am not sure that it is not the best. The opinions I have had of its errors I sacrifice to the public good. I have never whispered a syllable of them abroad. Within these walls they were born and here they shall die. If every one of us, in returning to our constituents, were to report the objections he has had to it, and endeavor to gain partisans in support of them, we might prevent its being generally received, and thereby lose all the salutary effects and great advantages resulting naturally in our favor among foreign nations as well as among ourselves, from our real or apparent unanimity. Much of the strength and efficiency of any government, in procuring and securing happiness to the people, depends on opinion—on the general opinion of the goodness of the government as well as of the wisdom and integrity of its governors. I hope, therefore, that for our own sakes, as a part of the people, and for the sake of posterity, we shall act heartily and unanimously in recommending this Constitution (if approved by Congress and confirmed by the Conventions) wherever our influence may extend, and turn our future thoughts and endeavors to the means of having it well administered. On the whole, sir, I cannot help expressing a wish that every member of the Convention who may still have objections to it would, with me, on this occasion doubt a little of his own infallibility, and, to make manifest our unanimity, put his name to this instrument."

The full text of the Constitution of the United States, as adopted by the Convention and ratified by the thirteen States, is given in the following pages. The clause numbers are absent from this printed copy. They are sometimes added for convenience in reference, but are not a part of the document;

only the Articles and Sections are numbered in the Constitution:

We, the people of the United States, in order to form a more perfect union, establish justice, insure domestic tranquillity provide for the common defense, promote the general welfare, and secure the blessings of liberty to ourselves and our posterity, do ordain and establish this Constitution for the United States of America.

ARTICLE I.

Section I.

All legislative powers herein granted shall be vested in a Congress of the United States, which shall consist of a Senate and House of Representatives.

Section II.

The House of Representatives shall be composed of members chosen every second year by the people of the several States, and the electors in each State shall have the qualifications requisite for electors of the most numerous branch of the State Legislature.

No person shall be a Representative who shall not have attained the age of twenty-five years, and been seven years a citizen of the United States, and who shall not, when elected, be an inhabitant of that State in which he shall be chosen.

Representatives and direct taxes shall be apportioned among the several States which may be included within this Union, according to their respective numbers, which shall be determined by adding to the whole number of free persons, including those bound to service for a term of years, and excluding Indians not taxed, three-fifths of all other persons. The actual enumeration shall be made within three years after the first meeting of the Congress of the United States, and within every subsequent term of ten years, in such manner as they shall by law direct. The number of Representatives shall not exceed one for every thirty thousand, but each State shall have at least one Representative; and until such enumeration shall be made, the State of New Hampshire shall be entitled to choose three, Massachusetts eight, Rhode Island and Providence Plantations one, Connecticut five, New York six, New Jersey four, Pennsylvania eight, Delaware one, Maryland six, Virginia ten, North Carolina five, South Carolina five, and Georgia three.

When vacancies happen in the representation from any State, the Executive authority thereof shall issue writs of election to fill such vacancies.

The House of Representatives shall choose their Speaker and other officers, and shall have the sole power of impeachment.

SECTION III.

The Senate of the United States shall be composed of two Senators from each State, chosen by the Legislature thereof, for six years; and each Senator shall have one vote.

Immediately after they shall be assembled in consequence of the first election, they shall be divided as equally as may be into three classes. The seats of the Senators of the first class shall be vacated at the expiration of the second year; of the second class, at the expiration of the fourth year, and of the third class, at the expiration of the sixth year, so that one-third may be chosen every second year; and if vacancies happen by resignation or otherwise during the recess of the Legislature of any State, the Executive thereof may make temporary appointments until the next meeting of the Legislature, which shall then fill such vacancies.

No person shall be a Senator who shall not have attained to the age of thirty years, and been nine years a citizen of the United States, and who shall not, when elected, be an inhabitant of that State for which he shall be chosen.

The Vice-President of the United States shall be President of the Senate, but shall have no vote, unless they be equally divided.

The Senate shall choose their other officers, and also a President *pro tempore* in the absence of the Vice-President, or when he shall exercise the office of President of the United States.

The Senate shall have the sole power to try all impeachments. When sitting for that purpose, they shall be on oath or affirmation. When the President of the United States is tried, the Chief Justice shall preside: and no person shall be convicted without the concurrence of two-thirds of the members present.

Judgment in cases of impeachment shall not extend further than to removal from office, and disqualification to hold and enjoy any office of honor, trust, or profit under the United States; but the party convicted shall, nevertheless, be liable and subject to indictment, trial, judgment, and punishment, according to law.

SECTION IV.

The times, places, and manner of holding elections for Senators and Representatives shall be prescribed in each State by the Legislature thereof; but the Congress may at any time by law make or alter such regulations, except as to the places of choosing Senators.

The Congress shall assemble at least once in every year, and such meeting shall be on the first Monday in December, unless they shall by law appoint a different day.

SECTION V.

Each house shall be the judge of the elections, returns, and qualifications of its own members, and a majority of each shall constitute a quorum to do business; but a smaller number may adjourn from day to

day, and may be authorized to compel the attendance of absent members, in such manner, and under such penalties, as each house may provide.

Each house may determine the rules of its proceedings, punish its members for disorderly behavior, and with the concurrence of two-thirds expel a member.

Each house shall keep a journal of its proceedings, and from time to time publish the same, excepting such parts as may in their judgment require secrecy, and the yeas and nays of the members of either house on any question shall, at the desire of one-fifth of those present, be entered on the journal.

Neither house, during the session of Congress, shall, without the consent of the other, adjourn for more than three days, nor to any other place than that in which the two houses shall be sitting.

SECTION VI.

The Senators and Representatives shall receive a compensation for their services, to be ascertained by law and paid out of the Treasury of the United States. They shall, in all cases except treason, felony, and breach of the peace, be privileged from arrest during their attendance at the session of their respective houses, and in going to and returning from the same; and for any speech or debate in either house they shall not be questioned in any other place.

No Senator or Representative shall, during the time for which he was elected, be appointed to any civil office under the authority of the United States, which shall have been created, or the emoluments whereof shall have been increased during such time; and no person holding any office under the United States shall be a member of either house during his continuance in office.

SECTION VII.

All bills for raising revenue shall originate in the House of Representatives; but the Senate may propose or concur with amendments as on other bills.

Every bill which shall have passed the House of Representatives and the Senate shall, before it become a law, be presented to the President of the United States; if he approve, he shall sign it, but if not, he shall return it, with his objections, to that house in which it shall have originated, who shall enter the objections at large on their journal and proceed to reconsider it. If after such reconsideration two-thirds of that house shall agree to pass the bill, it shall be sent, together with the objections, to the other house, by which it shall likewise be reconsidered, and if approved by two-thirds of that house it shall become a law. But in all such cases the votes of both houses shall be determined by yeas and nays, and the names of the persons voting for and against the bill shall be entered on the journal of each house respectively. If any bill shall not be returned by the President within ten days (Sundays excepted) after it shall have been

presented to him, the same shall be a law, in like manner as if he had signed it, unless the Congress by their adjournment prevent its return; in which case it shall not be a law.

Every order, resolution, or vote to which the concurrence of the Senate and House of Representatives may be necessary (except on a question of adjournment) shall be presented to the President of the United States; and before the same shall take effect, shall be approved by him, or being disapproved by him, shall be repassed by two-thirds of the Senate and House of Representatives, according to the rules and limitations prescribed in the case of a bill.

SECTION VIII.

The Congress shall have power to lay and collect taxes, duties, imposts, and excises, to pay the debts and provide for the common defense and general welfare of the United States; but all duties, imposts, and excises shall be uniform throughout the United States;

To borrow money on the credit of the United States;

To regulate commerce with foreign nations and among the several States, and with the Indian tribes;

To establish an uniform rule of naturalization, and uniform laws on the subject of bankruptcies throughout the United States;

To coin money, regulate the value thereof, and of foreign coin, and fix the standard of weights and measures;

To provide for the punishment of counterfeiting the securities and current coin of the United States;

To establish post-offices and post-roads;

To promote the progress of science and useful arts by securing for limited times to authors and inventors the exclusive right to their respective writings and discoveries;

To constitute tribunals inferior to the Supreme Court;

To define and punish piracies and felonies committed on the high seas and offenses against the law of nations;

To declare war, grant letters of marque and reprisal, and make rules concerning captures on land and water;

To raise and support armies, but no appropriation of money to that use shall be for a longer term than two years;

To provide and maintain a navy;

To make rules for the government and regulation of the land and naval forces;

To provide for calling forth the militia to execute the laws of the Union, suppress insurrections, and repel invasions;

To provide for organizing, arming, and disciplining the militia, and for governing such part of them as may be employed in the service of the United States, reserving to the States respectively the appointment of the officers, and the authority of training the militia according to the discipline prescribed by Congress;

To exercise exclusive legislation in all cases whatsoever over such district (not exceeding ten miles square) as may, by cession of particular States and the acceptance of Congress, become the seat of the Government of the United States, and to exercise like authority over all places purchased by the consent of the Legislature of the State in which the same shall be, for the erection of forts, magazines, arsenals, dockyards, and other needful buildings; and

To make all laws which shall be necessary and proper for carrying into execution the foregoing powers, and all other powers vested by this Constitution in the Government of the United States, or in any department or officer thereof.

SECTION IX.

The migration or importation of such persons as any of the States now existing shall think proper to admit shall not be prohibited by the Congress prior to the year one thousand eight hundred and eight, but a tax or duty may be imposed on such importation, not exceeding ten dollars for each person.

The privilege of the writ of habeas corpus shall not be suspended, unless when in cases of rebellion or invasion the public safety may require it.

No bill of attainder or ex post facto law shall be passed.

No capitation or other direct tax shall be laid, unless in proportion to the census or enumeration hereinbefore directed to be taken.

No tax or duty shall be laid on articles exported from any State.

No preference shall be given by any regulation of commerce or revenue to the ports of one State over those of another; nor shall vessels bound to or from one State be obliged to enter, clear, or pay duties in another.

No money shall be drawn from the Treasury but in consequence of appropriations made by law; and a regular statement and account of the receipts and expenditures of all public money shall be published from time to time.

No title of nobility shall be granted by the United States; and no person holding any office of profit or trust under them shall, without the consent of the Congress, accept of any present, emolument, office, or title, of any kind whatever, from any king, prince, or foreign State.

SECTION X.

No State shall enter into any treaty, alliance, or confederation; grant letters of marque and reprisal; coin money; emit bills of credit; make anything but gold and silver coin a tender in payment of debts; pass any bill of attainder, ex post facto law, or law impairing the obligation of contracts, or grant any title of nobility.

No State shall, without the consent of Congress, lay any imposts or duties on imports or exports, except what may be absolutely necessary

for executing its inspection laws; and the net produce of all duties and imposts, laid by any State on imports or exports, shall be for the use of the Treasury of the United States; and all such laws shall be subject to the revision and control of the Congress.

No State shall, without the consent of Congress, lay any duty of tonnage, keep troops or ships of war in time of peace, enter into any agreement or compact with another State or with a foreign power, or engage in war, unless actually invaded or in such imminent danger as will not admit of delay.

ARTICLE II.

Section I.

The Executive power shall be vested in a President of the United States of America. He shall hold his office during the term of four years, and together with the Vice-President, chosen for the same term, be elected as follows:

Each State shall appoint, in such manner as the Legislature thereof may direct, a number of electors, equal to the whole number of Senators and Representatives to which the State may be entitled in the Congress; but no Senator or Representative, or person holding an office of trust or profit under the United States, shall be appointed an elector.

[The electors shall meet in their respective States and vote by ballot for two persons, of whom one at least shall not be an inhabitant of the same State with themselves. And they shall make a list of all the persons voted for, and of the number of votes for each; which list they shall sign and certify and transmit, sealed, to the seat of the Government of the United States, directed to the President of the Senate. The President of the Senate shall, in the presence of the Senate and House of Representatives, open all the certificates, and the votes shall then be counted. The person having the greatest number of votes shall be the President, if such number be a majority of the whole number of electors appointed; and if there be more than one who have such majority, and have an equal number of votes, then the House of Representatives shall immediately choose by ballot one of them for President; and if no person have a majority, then from the five highest on the list the said House shall in like manner choose the President. But in choosing the President the votes shall be taken by States, the representation from each State having one vote; a quorum for this purpose shall consist of a member or members from two-thirds of the States, and a majority of all the States shall be necessary to a choice. In every case, after the choice of the President, the person having the greatest number of votes of the electors shall be the Vice-President. But if there should remain two or more who have equal votes, the Senate shall choose from them by ballot the Vice-President.]*

*This clause of the Constitution has been amended. See twelfth Article of the Amendments.

The Congress may determine the time of choosing the electors and the day on which they give their votes, which day shall be the same throughout the United States.

No person except a natural-born citizen, or a citizen of the United States at the time of the adoption of this Constitution, shall be eligible to the office of President; neither shall any person be eligible to that office who shall not have attained to the age of thirty-five years, and been fourteen years a resident within the United States.

In case of the removal of the President from office, or of his death, resignation, or inability to discharge the powers and duties of the said office, the same shall devolve on the Vice-President, and the Congress may by law provide for the case of removal, death, resignation, or inability, both of the President and Vice-President, declaring what officer shall then act as President, and such officer shall act accordingly until the disability be removed or a President shall be elected.

The President shall, at stated times, receive for his services a compensation, which shall neither be increased nor diminished during the period for which he may have been elected, and he shall not receive within that period any other emolument from the United States, or any of them.

Before he enter on the execution of his office he shall take the following oath or affirmation:

"I do solemnly swear (or affirm) that I will faithfully execute the office of President of the United States, and will to the best of my ability preserve, protect, and defend the Constitution of the United States."

SECTION II.

The President shall be Commander-in-chief of the Army and Navy of the United States, and of the militia of the several States when called into the actual service of the United States; he may require the opinion, in writing, of the principal officer in each of the executive departments, upon any subject relating to the duties of thier respective offices, and he shall have power to grant reprieves and pardons for offenses against the United States, except in cases of impeachment.

He shall have power, by and with the advice and consent of the Senate, to make treaties, provided two-thirds of the Senators present concur; and he shall nominate, and, by and with the advice and consent of the Senate, shall appoint ambassadors, other public ministers and consuls, judges of the Supreme Court, and all other officers of the United States, whose appointments are not herein otherwise provided for, and which shall be established by law; but the Congress may by law vest the appointment of such inferior officers as they think proper, in the President alone, in the courts of law, or in the heads of departments.

The President shall have power to fill up all vacancies that may happen during the recess of the Senate, by granting commissions which shall expire at the end of their next session.

SECTION III.

He shall from time to time give to the Congress information of the state of the Union, and recommend to their consideration such measures as he shall judge necessary and expedient; he may, on extraordinary occasions, convene both houses, or either of them, and in case of disagreement between them with respect to the time of adjournment, he may adjourn them to such time as he shall think proper; he shall receive ambassadors and other public ministers; he shall take care that the laws be faithfully executed, and shall commission all the officers of the United States.

SECTION IV

The President, Vice-President, and all civil officers of the United States shall be removed from office on impeachment for and conviction of treason, bribery, or other high crimes and misdemeanors.

ARTICLE III.

SECTION I.

The judicial power of the United States shall be vested in one Supreme Court, and in such inferior courts as the Congress may from time to time ordain and establish. The judges, both of the Supreme and inferior courts, shall hold their offices during good behavior, and shall, at stated times, receive for their services a compensation which shall not be diminished during their continuance in office.

SECTION II.

The judicial power shall extend to all cases, in law and equity, arising under this Constitution, the laws of the United States, and treaties made, or which shall be made, under their authority; to all cases affecting ambassadors, other public ministers, and consuls; to all cases of admiralty and maritime jurisdiction; to controversies to which the United States shall be a party; to controversies between two or more States; between a State and citizens of another State; between citizens of different States; between citizens of the same State claiming lands under grants of different States, and between a State, or the citizens thereof, and foreign States, citizens, or subjects.

In all cases affecting ambassadors, other public ministers and consuls, and those in which a State shall be a party, the Supreme Court shall have original jurisdiction. In all the other cases before mentioned the Supreme Court shall have appellate jurisdiction, both as to law and fact, with such exceptions and under such regulations as the Congress shall make.

The trial of all crimes, except in cases of impeachment, shall be by jury; and such trial shall be held in the State where the said crimes shall have been committed; but when not committed within any State, the trial shall be at such place or places as the Congress may by law have directed.

SECTION III.

Treason against the United States shall consist only in levying war against them, or in adhering to their enemies, giving them aid and comfort. No person shall be convicted of treason unless on the testimony of two witnesses to the same overt act, or on confession in open court.

The Congress shall have power to declare the punishment of treason, but no attainder of treason shall work corruption of blood or forfeiture except during the life of the person attainted.

ARTICLE IV.

SECTION I.

Full faith and credit shall be given in each State to the public acts, records, and judicial proceedings of every other State. And the Congress may by general laws prescribe the manner in which such acts, records, and proceedings shall be proved, and the effect thereof.

SECTION II.

The citizens of each State shall be entitled to all privileges and immunities of citizens in the several States.

A person charged in any State with treason, felony, or other crime, who shall flee from justice, and be found in another State, shall, on demand of the Executive authority of the State from which he fled, be delivered up, to be removed to the State having jurisdiction of the crime.

No person held to service or labor in one State, under the laws thereof, escaping into another, shall, in consequence of any law or regulation therein, be discharged from such service or labor, but shall be delivered up on claim of the party to whom such service or labor may be due.

SECTION III.

New States may be admitted by the Congress into this Union; but no new State shall be formed or erected within the jurisdiction of any other State; nor any State be formed by the junction of two or more States or parts of States, without the consent of the Legislatures of the States concerned, as well as of the Congress.

The Congress shall have power to dispose of and make all needful rules and regulations respecting the territory or other property belonging to the United States; and nothing in this Constitution shall be so construed as to prejudice any claims of the United States or of any particular State.

SECTION IV.

The United States shall guarantee to every State in this Union a republican form of government, and shall protect each of them against invasion, and on application of the Legislature, or of the Executive (when the Legislature cannot be convened), against domestic violence.

ARTICLE V.

The Congress, whenever two-thirds of both houses shall deem it necessary, shall propose amendments to this Constitution, or, on the application of the Legislatures of two-thirds of the several States, shall

call a convention for proposing amendments, which in either case shall be valid to all intents and purposes as part of this Constitution, when ratified by the Legislatures of three-fourths of the several States, or by conventions in three-fourths thereof, as the one or the other mode of ratification may be proposed by the Congress, provided that no amendments which may be made prior to the year one thousand eight hundred and eight shall in any manner affect the first and fourth clauses in the ninth section of the first article; and that no State, without its consent, shall be deprived of its equal suffrage in the Senate.

ARTICLE VI.

All debts contracted and engagements entered into, before the adoption of this Constitution, shall be as valid against the United States under this Constitution as under the Confederation.

This Constitution, and the laws of the United States which shall be made in pursuance thereof, and all treaties made, or which shall be made, under the authority of the United States, shall be the supreme law of the land; and the judges in every State shall be bound thereby, anything in the Constitution or laws of any State to the contrary notwithstanding.

The Senators and Representatives before mentioned, and the members of the several State Legislatures, and all executive and judicial officers both of the United States and of the several States, shall be bound by oath or affirmation to support this Constitution; but no religious test shall ever be required as a qualification to any office or public trust under the United States.

ARTICLE VII.

The ratification of the conventions of nine States shall be sufficient for the establishment of this Constitution between the States so ratifying the same.

Done in convention by the unanimous consent of the States present, the seventeenth day of September, in the year of our Lord one thousand seven hundred and eighty-seven, and of the independence of the United States of America the twelfth. In witness whereof, we have hereunto subscribed our names.

George Washington, President, and Deputy from Virginia.

New Hampshire—John Langdon, Nicholas Gilman.

Massachusetts—Nathaniel Gorham, Rufus King.

Connecticut—William Samuel Johnson, Roger Sherman.

New York—Alexander Hamilton.

New Jersey—William Livingston, David Brearly, William Patterson, Jonathan Dayton.

Pennsylvania—Benjamin Franklin, Thomas Mifflin, Robert Morris, George Clymer, Thomas Fitzsimons, Jared Ingersoll, James Wilson, Gouverneur Morris.

DELAWARE—George Read, Gunning Bedford, Jr., John Dickinson, Richard Bassett, Jacob Broom.

MARYLAND—James McHenry, Daniel of St. Thomas Jenifer, Daniel Carroll.

VIRGINIA—John Blair, James Madison, Jr.

NORTH CAROLINA—William Blount, Richard Dobbs Spaight, Hugh Williamson.

SOUTH CAROLINA—John Rutledge, Charles Cotesworth Pinckney, Charles Pinckney, Pierce Butler.

GEORGIA—William Few, Abraham Baldwin.

Attest: William Jackson, *Secretary.*

The Amendments. The greatest objection to prompt ratification of the Constitution as adopted by the Convention was that in no part of the document was there a guarantee of certain inalienable rights of the people. It was only on the express understanding that the first Congress to meet under the Constitution should propose amendments covering these demands that several of the States ratified the Constitution. The first ten Amendments were accordingly proposed in 1789 and declared adopted in 1791. The Eleventh and Twelfth Amendments may be practically considered as adopted for the same reasons which compelled the adoption of the first ten. The Eleventh was proposed in 1794, the Twelfth in 1803; they were declared adopted in 1798 and 1804, respectively. The last three were the outgrowth of the Civil War. The Thirteenth was proposed and adopted in 1865; the Fourteenth was proposed in 1866, and adopted in 1868; the Fifteenth was proposed in 1869, and adopted in 1870 [see AMENDMENTS TO THE CONSTITUTION]. The full text of the fifteen Amendments is given below:

AMENDMENTS.

ARTICLE I.

Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech or of the press; or the right of the people peaceably to assemble, and to petition the government for a redress of grievances.

ARTICLE II.

A well-regulated militia being necessary to the security of a free state, the right of the people to keep and bear arms shall not be infringed.

ARTICLE III.

No soldier shall, in time of peace, be quartered in any house without the consent of the owner, nor in time of war, but in a manner to be prescribed by law.

ARTICLE IV.

The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated, and no warrants shall issue but upon probable cause, supported by oath or affirmation, and particularly describing the place to be searched, and the person or things to be seized.

ARTICLE V.

No person shall be held to answer for a capital or otherwise infamous crime, unless on a presentment or indictment of a grand jury, except in cases arising in the land or naval forces, or in the militia, when in actual service in time of war or public danger; nor shall any person be subject for the same offense to be twice put in jeopardy of life or limb; nor shall be compelled in any criminal case to be a witness against himself, nor be deprived of life, liberty, or property, without due process of law; nor shall private property be taken for public use without just compensation.

ARTICLE VI.

In all criminal prosecutions the accused shall enjoy the right to a speedy and public trial, by an impartial jury of the State and district wherein the crime shall have been committed, which district shall have been previously ascertained by law, and to be informed of the nature and cause of the accusation; to be confronted with the witnesses against him; to have compulsory process for obtaining witnesses in his favor, and to have the assistance of counsel for his defense.

ARTICLE VII.

In suits at common law, where the value in controversy shall exceed twenty dollars, the right of trial by jury shall be preserved, and no fact tried by a jury shall be otherwise re-examined in any court of the United States, than according to the rules of the common law.

ARTICLE VIII.

Excessive bail shall not be required, nor excessive fines imposed, nor cruel and unusual punishments inflicted.

ARTICLE IX.

The enumeration in the Constitution of certain rights shall not be construed to deny or disparage others retained by the people.

ARTICLE X.

The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively or to the people.

ARTICLE XI.

The judicial power of the United States shall not be construed to extend to any suit in law or equity, commenced or prosecuted against one of the United States by citizens of another State, or by citizens or subjects of any foreign State.

ARTICLE XII.

The electors shall meet in their respective States and vote by ballot for President and Vice-President, one of whom, at least, shall not be an inhabitant of the same State with themselves; they shall name in their ballots the person voted for as President, and in distinct ballots the person voted for as Vice-President, and they shall make distinct lists of all persons voted for as President and of all persons voted for as Vice-President, and of the number of votes for each; which lists they shall sign and certify, and transmit sealed to the seat of the Government of the United States, directed to the President of the Senate. The President of the Senate shall, in the presence of the Senate and House of Representatives, open all the certificates, and the votes shall then be counted. The person having the greatest number of votes for President shall be the President, if such number be a majority of the whole number of electors appointed; and if no person have such majority, then from the persons having the highest numbers not exceeding three on the list of those voted for as President, the House of Representatives shall choose immediately, by ballot, the President. But in choosing the President the votes shall be taken by States, the representation from each State having one vote; a quorum for this purpose shall consist of a member or members from two-thirds of the States, and a majority of all the States shall be necessary to a choice. And if the House of Representatives shall not choose a President whenever the right of choice shall devolve upon them, before the fourth day of March next following, then the Vice-President shall act as President, as in the case of the death or other constitutional disability of the President.

The person having the greatest number of votes as Vice-President shall be the Vice-President, if such number be a majority of the whole number of electors appointed; and if no person have a majority, then from the two highest numbers on the list the Senate shall choose the Vice-President; a quorum for the purpose shall consist of two-thirds of the whole number of Senators, and a majority of the whole number shall be necessary to a choice. But no person constitutionally ineligible to the office of President shall be eligible to that of Vice-President of the United States.

ARTICLE XIII.

Section I.

Neither slavery nor involuntary servitude, except as a punishment for crime whereof the party shall have been duly convicted, shall exist within the United States or any place subject to their jurisdiction.

SECTION II.

Congress shall have power to enforce this article by appropriate legislation.

ARTICLE XIV.

SECTION I.

All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the State wherein they reside. No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws.

SECTION II.

Representatives shall be apportioned among the several States according to their respective numbers, counting the whole number of persons in each State, excluding Indians not taxed. But when the right to vote at any election for the choice of electors for President and Vice-President of the United States, Representatives in Congress, the executive and judicial officers of a State, or the members of the Legislature thereof, is denied to any of the male inhabitants of such State, being twenty-one years of age, and citizens of the United States, or in any way abridged, except for participation in rebellion, or other crime, the basis of representation therein shall be reduced in the proportion which the number of such male citizens shall bear to the whole number of male citizens twenty-one years of age in such State.

SECTION III.

No person shall be a Senator or Representative in Congress, or elector of President and Vice-President, or hold any office, civil or military, under the United States, or under any State, who, having previously taken an oath as a member of Congress, or as an officer of the United States, or as a member of any State Legislature, or as an executive or judicial officer of any State, to support the Constitution of the United States, shall have engaged in insurrection or rebellion against the same, or given aid or comfort to the enemies thereof. But Congress may, by a vote of two-thirds of each House, remove such disability.

SECTION IV.

The validity of the public debt of the United States, authorized by law, including debts incurred for payment of pensions and bounties for services in suppressing insurrection or rebellion, shall not be questioned. But neither the United States nor any State shall assume or pay any debt or obligation incurred in aid of insurrection or rebellion against the United States, or any claim for the loss or emancipation of any slave; but all such debts, obligations, and claims shall be held illegal and void.

SECTION V.

The Congress shall have power to enforce, by appropriate legislation, the provisions of this article.

ARTICLE XV.

SECTION I.

The right of citizens of the United States to vote shall not be denied or abridged by the United States, or by any State, on account of race, color or previous condition of servitude.

SECTION II.

The Congress shall have power to enforce this article by appropriate legislation.

Consul, an officer of the United States Government, appointed to reside in a foreign city as the representative of our commercial interests. He has nothing to do with the diplomatic service of his country, is not supposed to interest himself in the least in the political relations of the United States and the country of his official residence, but is placed in office solely to advance his country's business interests.

The duties of a Consul, as stated in detail in his official instructions, are numerous. The most important are (1) the detection of fraud in invoices, on which articles to be imported to this country are entered at less than their face value, to escape just and equitable payment of tariff taxes, and (2) the promotion of our foreign trade by frequently sending to the Government authorities such information as will be of value to our merchants and manufacturers in developing their export trade.

A Consul cannot hope to be thoroughly familiar with the value of every article exported from his territory, nor to detect all the frauds attempted upon his Government by incorrect invoices; but by vigilance and close investigation into local conditions, he is able to render very valuable service in this direction. The only way in which he can know of opportunities for developing our export trade is by mixing freely with the people of his consular district, informing himself fully as to local production and consumption.

Under the admirable consular system which the United States Government has developed, there is benefit for nearly

every branch of industrial and commercial enterprise, and the possibilities can be turned to advantage just so far as producers, manufacturers and merchants acquaint themselves with the information published in the reports which United States Consuls in every part of the world are obliged to make annually to the State Department. These reports cover the agriculture, the manufactures, the commerce and the labor statistics. There is infinite variety in the information given, and it is all valuable. New methods for production of crops or for manufactures of every kind; improved systems in large industries; devices for facilitating any branch of labor; conditions affecting crop prospects; statistics of demand and supply in the markets; the development of new lines of industry or trade, and many other things important to the farmer, the manufacturer, the importer or the exporter here, are faithfully reported upon, and the store of information thus gathered is at the command of any citizen of the United States who chooses to ask for it.

The Consul is also charged with the protection of the rights of American seamen abroad. To enable him to execute this duty intelligently, he holds the ship's papers of all American vessels while in port; hears complaints of seamen; reclaims deserters; appoints examiners for vessels reported to be unseaworthy; sees that seamen are given the three months' extra pay provided by law when vessels on which they served are sold; takes measures for the saving of stranded vessels and their cargoes, etc. The Consul is authorized, also, to take possession of the personal property of American citizens dying within the range of his consular district, and he is responsible for its safe delivery to the lawful heirs of the deceased. Any American citizen abroad may appeal to any United States Consul for advice along the line of his official duties, and for direction in case of emergencies.

There are about seven hundred consular offices of the United States in the various countries of the world; only about four hundred of these are in charge of Consuls, however, the remainder being consular agencies. A consular agency is subordinate to the regular consulate, and the office is created

usually at the suggestion of the Consul, to render the service more effective. The consular agent is paid only in fees. In rank above the Consul is the Consul-General [q. v.] and subordinate to him are the Vice-Consul and Deputy Consul.

A Consul receives his appointment from the President, by and with the advice and consent of the Senate, and is under the immediate direction of the Department of State. The compensation of Consuls ranges from $1,000 to $7,500 per annum, with the addition of certain fees which by law they are allowed to retain. The term of office is for four years, with privilege of reappointment at the option of the President and Secretary of State. The Consul is obliged to pay his traveling expenses from his private purse. See FOREIGN SERVICE.

Consular Service. See CONSUL.

Consul-General, a Consul having general supervision of all the other Consuls within the limits of his consular territory. Thus, the American Consul-General at Paris is the superior officer of all other American Consuls appointed to French cities, and to him they apply for advice and assistance, as needed. See CONSUL.

Contempt of Court, any insult offered to the dignity of any court of justice or any defiance or resistance to its authority. Whenever the contempt be committed in the presence of the court, the offender may instantly be apprehended by the presiding Judge or Justice and either fined or imprisoned, in the discretion of the court. In other cases, if the Judge have reason to believe from evidence submitted according to legal practice that a contempt has been committed, he may make a rule demanding that the suspected person appear and show cause why he should not be adjudged in contempt and punished accordingly.

As examples of contempt of court we may cite the following: refusal of witnesses to answer proper questions referring to cases at issue, malpractice of attorneys, misbehavior of jurymen in matters relating to the discharge of their duties, disobedience of parties in complying with the mandates of the court, non-payment of costs, and wrong-doing by sheriffs,

jailers or other officers in executing the processes of the law. Punishment for contempt does not extend farther than imprisonment for the period of one year and the payment of a maximum fine of one hundred dollars.

Contested Elections. In case of dispute as to the result of any election in the United States, the alleged victim of fraud or violation of election laws has the right to appeal from the decision of election officials. If the position in controversy be a seat in the Senate or the House of Representatives of the United States, the complainant may present his evidence to the Committee on Elections (House) or the Committee on Privileges and Elections (Senate), who review the case and whose decision is final. For members of a State Legislature, the action is similar to the procedure in Congress. If the Presidency of the United States is involved, the alleged fraud must first be investigated in the State where the frauds were said to occur; if no settlement can be reached, the Government has established a precedent for the future in the action taken in the Hayes-Tilden contest of 1876, when an Electoral Commission [q. v.] was authorized by Congress to decide the contest. The reader must observe the distinction between a disputed election and a failure to elect (see DISPUTED ELECTIONS).

A State or local election contest is usually adjusted by recount of ballots in the precincts where irregularity is alleged to have occurred. The case may be carried into the courts, with the result that the count of votes as returned by the election officials may be sustained, or the entire vote of all precincts involved in the dispute may be thrown out.

Continental Congresses. Between 1765 and 1774, the American colonies, although continually suffering from unjust restrictions placed upon them by the English Government, engaged in no general movement against their oppressors. Each colony fought for its political rights single-handed, if at all. The passage of the Boston Port Bill so alarmed the colonists, however, that nine years after the Colonial Congress [q. v.] met in New York another representative assembly was called, upon

the initiative of Massachusetts. It met in Philadelphia, in September, 1774, and was attended by fifty-five delegates, from twelve colonies. Georgia alone was not represented, but through her authorities agreed to concur in any measures adopted. This body is known as the First Continental Congress, and the action of the various colonies in selecting delegates to represent them at its sessions marks the actual commencement of the American Union. In some cases the delegates were chosen by the assemblies, and in others by conventions of the people; thus the First Continental Congress exercised sovereign power, not merely as delegates of the government of the colonies, but by virtue of authority derived directly from the people. Viewed in this light, its declarations were revolutionary. It adopted a declaration of rights and grievances and three addresses, one to the king, one to the people of Great Britain, and another to the people of Quebec. By far the most important act was the formation of an association declaring for the non-importation, non-exportation and non-consumption of British merchandise. The articles of agreement established rules pertaining to the use of imported goods. This decree has been called the first enactment of general law in America. The action met with hearty approval throughout the colonies, whose assemblies ratified it and assumed obligations which made it in every sense a *national* law.

The colonies had sent their ablest men to this Congress, for it was well understood that momentous consequences might result from its deliberations. The ability of its members was not ignored in England, where Lord Chatham, in a speech in the House of Lords, said that "for solidity of reasoning, force of sagacity and wisdom of conclusion, under such a complication of circumstances, no nation, or body of men, can stand in preference to the general Congress at Philadelphia." The Congress remained in session until October 26th, then adjourned to meet May 10, 1775. In this respect it differed from all previous assemblies, which had always adjourned *sine die*. It was evident to all that additional work of great importance lay before the body.

Second Continental Congress. On May 10, 1775, the date to which the preceding Congress adjourned, Philadelphia was the scene of the assembling of the Second Continental Congress. The following table shows the number of delegates in attendance from each of the colonies:

Colonies Represented.	Delegates.	When Chosen.	Colonies Represented.	Delegates.	When Chosen.
Connecticut	5	Nov. 3, 1774	South Carolina	5	Feb. 3, 1775
Massachusetts	5	Dec. 5, 1774	Delaware	3	March 16, 1775
Maryland	7	Dec. 8, 1774	Virginia	7	March 20, 1775
Pennsylvania	9	Dec. 15, 1774	North Carolina	3	April 5, 1775
New Jersey	5	Jan. 24, 1775	New York	12	April 22, 1775
New Hampshire	2	Jan. 25, 1775	Rhode Island	2	May 7, 1775

Early in the session John Hancock of Massachusetts was chosen President of Congress, succeeding Peyton Randolph, who resigned because of ill health. This Congress existed five hundred eighty-two days, adjourning on December 12, 1776. In its early days, on July 8, 1775, Congress adopted a second conciliatory petition to the King. Benjamin Franklin was appointed first Postmaster-General and others were named as Treasurers of the colonies. On June 11, a committee was appointed to draft a Declaration of Independence [q. v.]. This was agreed to and published to the world on July fourth. The engrossed copy was signed by fifty-four delegates on August 2, 1776, and is yet preserved in the archives of the Department of State.

Third Continental Congress. The meeting was held at Baltimore, beginning December 20, 1776, eight days after the adjournment of the Second Continental Congress at Philadelphia. The change in meeting place was necessary because of the danger of capture by British troops. It continued in session seventy-five days, ending on March 4, 1777.

Other Continental Congresses. There were in all fourteen Continental Congresses, sessions being held at various times in Philadelphia, Baltimore, Princeton, Annapolis, Trenton, York (Pennsylvania) and New York City [see CAPITALS OF THE UNITED STATES]. They performed great service to the country in carrying it successfully through the war. The Fourteenth Continental Congress met at New York, November 5, 1787. Its duty consisted mainly in devising methods for

putting the new Government of the United States under the Constitution into operation. It existed three hundred fifty-three days, adjourning October 21, 1788.

Contraband, merchandise in which traffic between nations is prohibited or restricted. See CONTRABAND OF WAR.

Contraband of War. The word contraband, in its simplest sense, means forbidden; contraband of war, therefore, means those goods which a neutral nation is prohibited from supplying to either of two countries which are engaged in war. This prohibited list always includes all articles used in prosecuting hostilities, such as arms, ammunition, material for manufacturing engines of war, armed vessels, foodstuffs intended for military forces, and the like; sometimes coal is included in the list. Regular, uninterrupted commerce in all products not officially proclaimed against may continue as in times of peace, except when prevented by blockade [q. v.]. Any neutral person endeavoring to furnish proscribed material to either belligerent does so at his own risk; if detected in the act, both ship and cargo may be retained by its captors, subject, however, to the decision of a prize court, and his Government may not protest.

Convention, a meeting of regularly appointed delegates, representing the whole electorate of the political district affected, for the purpose of taking action on matters named in the official call. Any matter coming officially before the delegates which is not mentioned in the published call would not be considered a legal action. The manner in which delegates receive appointment is reviewed at length under the heading NATIONAL CONVENTION [q. v.].

Convention of 1787. See CONSTITUTION OF THE UNITED STATES.

Copperhead, a term applied by Union people during the Civil War to those Northerners who sympathized with the South. That the appellation was intended as a severe arraignment of a person's loyalty to his Government may be inferred from the fact that the copperhead is the name of a venomous snake that "prefers dark and foul places" and is said to "sting

from behind." Only the most acute political differences could develop such conditions.

Copyright, the sole right, granted by law to authors and artists, to publish and dispose of their various productions for a limited time. To acquire a copyright which shall be valid, it is necessary that the work for which protection is asked shall be original. If any part of what is offered for copyright be copied by the owner from a previous work, it is evident that the title will fail with respect to copyright, as the owner cannot be the producer of what has been adapted from another. The law does not require that the subject or the title of a book shall be new, but it is required that the method of treating a topic shall have a greater or less degree of originality. Copyright may be asked in case of any novel arrangement, as well as any recent corrections and additions to an old work which is not the property of the compiler.

Filing the Title. The first step to be taken in order to secure copyright protection is the transmission to the Register of Copyrights, of the Copyright Office, Library of Congress, Washington, of a printed copy of the title of the book or other article. If a printed title cannot be offered, the title must be typewritten, as written titles cannot be accepted. The copying of such title page into the record books of the Copyright Office becomes the recording of the claim to copyright. The second step required to be taken to complete a copyright is the deposit of two copies of the article for which the title has been recorded, as soon as said copies are printed and bound, if the article is a book, or are completed, if the article is in any other form. No person shall be entitled to a copyright unless he shall forward to the Copyright Office these two copies on the day of publication. The third step requisite to secure a valid copyright is the printing of the claim of copyright on each copy of the article protected. No copyright can be protected against infringement unless the notice prescribed by law is inserted in every copy produced. The wording of a notice is determined not by the will of the author or publisher, but by statute, and must follow one of two forms. The first is:

Entered according to act of Congress in the year 190– by (name of owner) in the office of the Librarian of Congress at Washington.

The second is much shorter but equally effective:

Copyright 190– by (name of owner).

In case of a book, the law prescribes that this notice shall be printed on the title page or the page immediately following. Any form which does not follow one of the two prescribed sentences above does not protect the person who applies for the copyright. The date must not be absent, neither must the name of the person to whom protection is granted.

Copyright Fees. For recording each title of a book or other article which is the production of a citizen or resident of the United States, the charge is fifty cents. For this sum the Copyright Office issues a card briefly certifying to the necessary facts. If the owner desires a certificate of copyright, which really amounts to the same thing as the card certificate, but is larger and more formal in appearance, there is an additional charge of fifty cents, but the additional expenditure is not necessary. For the recording of each title of a book or other work which is the production of a person not a citizen or resident of the United States, the charge is one dollar.

Term of Copyright. The first term of copyright is for twenty-eight years from the time of recording the title in the Copyright Office. Within six months before the expiration of this term, the statute provides that the author, if he be still living, or the widow or children, in case he be dead, can have the copyright continued for a further term of fourteen years. At the expiration of this total period of forty-two years, all copyright privileges expire. This renewal requires the filing of the title a second time and the deposit of the two copies, exactly the same as in case of the original copyright. The fees are also the same, but in case of renewal, a certificate is obligatory, making the total cost one dollar, and this certificate must be published for the space of four weeks in one or more newspapers published in the United States.

Assignment of Copyrights. Copyrights are assignable in law by any instrument of writing. This should state the names of the assignee and assignor and the title of the book or other article assigned, and each assignment must be recorded in the Copyright Office within sixty days after its execution. See INTERNATIONAL COPYRIGHT.

Coroner, a county officer in each county of every State whose chief duty is the investigation of the cause or manner of death of persons who are slain or who die suddenly without attending physicians who are able to state cause of death, or surrounding whose death there appear to be suspicious circumstances. A physician who cannot certify to a death from natural causes is required by law to report the case to the Coroner's office; in some States the statutes give Justices of the Peace local jurisdiction in the absence of the Coroner. It is then the duty of the Coroner or Justice to impanel a jury of six men and lead them in an inquiry which shall ascertain the cause of death, if possible. If foul play is discovered, the jury must report to the Coroner the names of all persons possessing a guilty knowledge of the deed, if same can be learned, and this fact forms the basis of an indictment [q. v.] of the guilty person or persons by the grand jury or an information [q. v.] filed by the county prosecutor before the criminal court. The arrest of the alleged assailants occurs at once and this is followed by trial, which the Constitution declares shall be speedy and impartial.

In most States the statutes provide that in case of the death, resignation or incapacity of the Sheriff, the chief Executive officer of the county, the Coroner shall be acting Sheriff and chief peace officer until another Sheriff shall be chosen or until the regular incumbent's disability is removed. See COUNTY OFFICERS.

Coroner's Jury, a body of men, six in number, impaneled by the Coroner of a county, or by a Justice of the Peace as acting Coroner, to inquire into the unnatural cause of death of a person. This body has power to compel the attendance of witnesses and to administer oaths. See CORONER.

Corporal. A corporal is the lowest officer of a company of soldiers. He is not a commissioned officer, but is appointed by his superiors. There are from four to six corporals in each company; they are below sergeants in rank. See SERGEANT.

Corporal's Guard, a term used derisively to denote a meager following, or unimportant minority. The expression was first used in 1841–1844, and was applied to the few supporters of President Tyler and his administration.

Corporation. See INCORPORATION.

Corporations, BUREAU OF, the chief bureau of the Department of Commerce and Labor, the last Executive division of the general Government, the head of which is the Secretary of Commerce and Labor. The chief of the Bureau of Corporations is given the title of Commissioner of Corporations, and his salary is $5,000 per year. In a commercial sense, this Bureau is one of the most important departments of the entire Federal machinery; the Commissioner is given power to investigate all companies except general transportation companies, whose conduct is always under the investigation of the Interstate Commerce Commission [q. v.]. The Bureau was intended by the framers of the act authorizing the Department of Commerce and Labor to be the regulator of "trusts," which before its inauguration felt but little controlling influence over their acts. The following clauses in the bill which established the Bureau explain in few words its powers and duties:

"The said Commissioner shall have power and authority to make, under the direction of the Secretary of Commerce and Labor, diligent investigation into the organization, conduct and management of the business of any corporation, joint stock company or corporate combination engaged in commerce among the several States and with foreign nations, excepting common carriers, and to gather such information and data as will enable the President of the United States to make recommendation to Congress for the regulation of such commerce, and to report such data to the President from time to time as he shall require; and the information so contained, or as much thereof as the President may direct, shall be made public. In order to accomplish the purpose of this section, the said Commissioner shall have and exercise the same power and authority in respect to corporations, joint stock companies and combinations as is conferred on the Interstate Commerce Commission in said 'Act to

Regulate Commerce,' and the amendments thereto in respect to common carriers, so far as the same may be applicable, including the right to subpoena and compel the attendance and testimony of witnesses and the production of documentary evidence and to administer oaths."

"It shall also be the province and duty of the said Bureau of Corporations, under the direction of the Secretary of Commerce and Labor, to gather, compile, publish and supply useful information concerning corporations doing business within the limits of the United States and any foreign country, including corporations engaged in insurance, and to attend to such other duties as may be hereafter provided by law."

Cotton Whigs. See CONSCIENCE WHIGS.

Counsellor, a counselling lawyer or attorney-at-law. In the United States practically no distinction exists between the terms. Some lawyers confine their practice to giving advice, seldom appearing in court in charge of a case at law, leaving this task to colleagues who are termed trial lawyers. In the Supreme Court a distinction was at one time made between counsellor and attorney, but the custom was abandoned some years ago.

Counted Out, a term indicating fraud at the ballot box, by which the person receiving the majority of votes cast is defeated by trickery. By juggling with the ballots or manipulating figures, it may be made to appear that the less popular candidate received the larger vote. Crimes of this nature are punished by imprisonment not exceeding one year, whenever the guilt of accused persons is established. Convicted persons are incarcerated in Federal prisons.

Counterfeits and Counterfeiting. A counterfeit is any imitation of the currency of the United States, made with intention to defraud by offering the spurious as legal tender in exchange for commodities, or designed merely for advertising purposes, quite apart from criminal intent. One of the most active departments of the Federal Government is constantly engaged in discovering and punishing makers of false money. The several States of the Union are deprived of the privilege of coining money, and therefore the burden of punishing offenders rests with the power which authorizes its coinage and circulation. Severest penalties are imposed upon counterfeit-

ers, ranging from fines of $1,000 to $5,000, or fifteen years' imprisonment.

Not only is it a crime to make or offer to circulate spurious money, but it is likewise unlawful to paint upon a signboard, no matter how many square feet in size, a representation of a coin or paper money of any denomination. The manufacture of pasteboard imitations of silver money for use of educational institutions teaching commercial branches is prohibited; no imitation money for that purpose shall bear the word "dollar" or the dollar symbol. No manufactured article shall be made to appear at all similar to any legal tender of the United States. This wholesome regulation is based upon the assumption that the ignorant or unobserving person, not able always to guard against deception, has the right to expect Government protection to the greatest possible degree. This can only be guaranteed by laws which give to the currency of the country unmistakable characteristics such as are possessed by no other manufactured article.

County, a civil division of a State, having legally defined boundaries, and possessing within itself certain privileges of self-government. The necessity for subdivisions of territory within a large State becomes apparent at once; if all State authority were exercised at all times from one central point, it is evident that places near the seat of power might be governed to excess, while sections more remote and often inaccessible might suffer from lax supervision. Matters of purely local concern can best be adjusted by local government, surrounded by proper safeguards guaranteed by a superior political power. For this reason a State delegates power to regulate local government to political subdivisions; it defines boundaries and fixes limits of authority, while retaining full control over matters which affect all of the people of the State. This subdivision, the county, through its authorized officers, may levy taxes for local needs, but the State also assesses taxes on the same property, for the needs of the State at large; it may provide for its poor and its insane; it may organize a school system, subject to the will of the State Government as regards

uniformity in text-books and teachers' qualifications; it may operate its courts of justice under such rules as the State prescribes; all matters which affect only the residents of the county are proper subjects on which the county authorities may legislate absolutely. Carrying the theory of local self-government still further, the county is politically subdivided into townships and the townships into school districts, road districts, etc., each of which possesses certain sovereign powers but over which there is always the authority of the larger political unit. The local center of government of the county is called the county seat, and it is usually the most populous town or the one nearest the geographical center of the county. Here are the county offices, in which all records are kept and in which sessions of the County Court, often called Circuit Court [q. v.], are held at least twice each year. The boundaries of the counties of a State are designated by the State Legislature. No county can be divided, however, without consent of a majority of the voters affected by the division; neither can two counties be joined in one without such vote of the citizens affected. A county usually consists of from twelve to sixteen townships, of thirty-six square miles each. Such a county is large enough to admit of an economical administration of its affairs, and yet is small enough to bring its county seat within easy reach of every citizen within its borders. See COUNTY OFFICERS; STATE.

County Clerk, that officer of each county who acts as secretary of the board of supervisors or board of county commissioners, and recording officer or clerk of the Circuit (county) Court. He issues all licenses granted in the county by authority of the State or county, and in some States serves as a member of various county boards, such as the Board of Auditors, the Overseers of the Poor, etc. See COUNTY OFFICERS.

County Commissioner, [1] one of the three or more members of a Board of County Commissioners elected by the people to administer the affairs of the county. The duties of the Commissioners are to supervise the finances of the county, levy taxes, care for public buildings, build roads, bridges, etc.

In many States the Board of Supervisors [q. v.], consisting of one member from each county, comprise this county legislative body.

[2] In certain States the chief school officer in the county is the County Commissioner of Schools. He is the head of the County Board of School Examiners, and exercises general supervision of the county's educational interests.

County Court, a name frequently applied to the Circuit Court of the State Judicial system. See CIRCUIT COURT [STATE].

County Officers. The Constitution of each State provides a general outline of county government, by virtue of which, throughout the State, the principles of government are applied over restricted areas by local officers, who are responsible to the State for proper enforcement of all laws. The names of the necessary officials for the transaction of the county's business are always given in the State Constitution, and the duties pertaining thereto are prescribed, but the amount of salary to be paid each officer is left to local determination, by the Board of Supervisors [q. v.] or the County Commissioners [q. v.], as the case may be. It should be noted that the above named Supervisor or Commissioner is not a county officer, but an officer of the township, who forms with his fellow Supervisors or Commissioners the county legislative body.

The list of the county officers varies but slightly in the different States; in nearly all of them the following are chosen, for terms of two years each:

Sheriff
Clerk
Treasurer
Prosecuting Attorney, or State's Attorney
Register of Deeds, or Recorder
Judge of Probate
Surveyor
Superintendent of Schools
Circuit Court Commissioner
Coroner

Usually the Sheriff and Treasurer are eligible to but two terms in succession; the others may continue to hold the same positions as long as they are able to secure re-election. In Ohio, Indiana, Iowa, and Minnesota, a County Auditor is also chosen. He is Clerk of the Board of County Commissioners,

he keeps an account with the Treasurer of county receipts and expenditures, and draws all money from the treasury upon orders of the Commissioners.

The duties of each of the county officers named above will be found in their alphabetical order.

County Seat, the capital city of a county, selected as such by majority vote of all the electors in the county, or designated as such by the State Constitution. Here are located the county offices and the County Court. See COUNTY.

Courtesy of the Senate, [1] a virtual violation of the Constitution, invoked usually to defeat confirmation of an appointment made by the President of the United States. If a man is nominated to a Federal office in any State, the Senate considers it a courtesy due the Senators from that State to dispose of the appointment as they may suggest. This excessive regard for the political prerogatives of its members often leads the Senate to defeat a nomination at the request of one Senator who may cherish personal prejudice against the appointee. In such cases the fitness of the official, which alone should be the determining factor, may receive slight consideration. [2] The rule of the Senate by which the rights of a member in debate are not abridged, even though he be engaged in a filibuster [q. v.] to defeat legislation.

Court-Martial, the legal tribunal before which offenses against army and naval regulations are tried. Such a court is composed of officers in the service, and their verdict is sent to the Secretary of War or the Secretary of the Navy, as the case may demand, for approval. There is no appeal from the findings of a court-martial, except to the President of the United States. In the army there are general courts-martial, before which only officers are tried, and regimental and garrison courts-martial for lesser offenders. In the navy general courts-martial are instituted for the trial of officers, and summary courts-martial for trial of petty officers and those lower in the service. Desertion, disobedience of orders, conduct unbecoming the rank of the offender, etc., are among the most common charges tried before these courts.

Violations of the organic law are also within their jurisdiction, in which case the penalty is dismissal from the service in disgrace. This is not the entire punishment in the latter class of cases, however, as the regularly constituted civil and criminal courts may take cognizance of the offense and try the case, inflicting such penalty as the laws mete out to private citizens. This later civil or criminal trial is not a violation of the Constitutional provision which protects a man from being twice put in jeopardy of life or limb for the same offense. The court-martial simply decides whether the accused is worthy longer to enjoy his rank and title in the departmental service, and does not put one in jeopardy in the Constitutional sense.

Court of Appeals. Any tribunal authorized to hear and determine cases at law which have been appealed to it from the next lower court is a court of appeals. In most States any court above a Justice Court is an Appellate Court [q. v.]; the Circuit Court [q. v.] may try cases not satisfactorily settled in the Justice Court; the Superior Court may take cases appealed from the Circuit Court, and the Supreme Court of the State may be called upon to review cases on appeal from the Superior Court. In case the legal machinery of a State does not include a Superior Court, cases may be carried from the Circuit Court direct to the Supreme Court, unless other intermediate appellate courts are provided. In some States a tribunal called by name the Court of Appeals is provided to receive appellate cases; thus other courts are spared congested dockets, and their time can be given to cases of original jurisdiction. A case may be moved step by step from the court wherein it was first tried to the highest tribunal in the State, if the amount at issue renders appeal permissible. From the State Supreme Court important cases may be taken on appeal to the United States Supreme Court. See APPEAL.

Courts. Tribunals for the proper administration of justice, where citizens may find protection in all the rights granted them by law and where offenses against the peace and dignity of the State may be punished, are a necessary part of the machinery of all enlightened Governments. In a monarchy

bordering on absolutism the administration of judicial affairs is recognized as the supreme prerogative of the sovereign; his subjects must accept the quality of justice he permits his officers to dispense. A free people organizes its own judiciary and gives it an existence independent of all other departments of government; it interprets laws and Constitutions, and from the mandate of its highest tribunals there is no appeal.

State Courts. As commonly organized, the Judicial Department of a State consists of one Supreme Court, a Circuit Court or County Court for each organized county, and below these, Municipal and Justice Courts. To relieve the Supreme Court of a portion of its duties, there are in some States one or more Appellate courts, which decide cases carried on appeal from the Circuit or County courts. Court of Appeals is another name for this tribunal. Any court below the Supreme or Appellate grade is composed of one judge, a clerk, and a peace officer who is attached to the sheriff's office or is a specially appointed bailiff. Attorneys-at-law are officers of each court in which they appear in behalf of their clients. In our legal system, the jurymen are also a part of the regular organization of all courts below those of highest rank.

Sessions of Supreme and Appellate courts are usually held three or four times each year, each session continuing from four to ten weeks. Court must be held in each organized county at least twice a year; in densely populated communities there is often necessity for monthly sessions. In many States one judge may preside in the courts of several counties, traveling at regular intervals from one to another. The people of all the counties in his circuit participate in his election, and from this fact his title, Circuit Judge, is derived. The Circuit Court, with respect to its jurisdiction, is identically the same as the County Court; the difference in name is due to the fact that in the former the presiding officer serves more than one county, while in the latter the State Constitution prescribes that there shall be a resident Judge for each county. See Supreme Court; Appellate Court; Court of Appeals; Circuit Court; Justice Court.

United States Courts. See JUDICIAL SYSTEM, UNITED STATES.

Cradle of Liberty, a name applied to the city of Boston, because it was the center of agitation during the colonial period which ended with the War of the Revolution. The term is also applied to Faneuil Hall in Boston, because it was the common meeting place of the colonists of New England during the period above referred to.

Credit Mobilier. A corporation formed in 1867 for the purpose of building one of the trans-continental railways was called the Credit Mobilier. From the manipulations of those in control, a great public scandal arose which involved eminent members of the National Congress. In order to secure favors from the Houses of Congress to push the Union Pacific Railway project, blocks of stock were either given to Senators and Representatives, or sold to them at merely nominal prices. James A. Garfield was charged in the Presidential campaign of 1880 with connection with the Credit Mobilier, but nothing was proved against him. So much publicity was given the charges against various members of Congress that a committee was appointed by each House to investigate the whole matter. As a result, two members were named for expulsion from the House of Representatives, but when a decisive vote was taken there was not a majority in favor of the recommendation of the committee. This was one of the few great scandals involving officials high in our National life.

Credit Money, another term for fiat money [q. v.].

Crime, any offense of a serious nature against the peace of the State, which subjects its author to legal punishment. In common usage, the word crime is used to denote such an offense as is of a deep and atrocious quality only. Lesser offenses and acts of omission and commission not so serious are comprised under the name of misdemeanor [q. v.]. Any offense against the laws of the United States is punished in the Federal courts only. Such crimes are counterfeiting, smuggling, treason, etc. The various State statutes, defining crime of all degrees, operate only within the boundaries of each State; therefore,

the penalty exacted of an offender in one Commonwealth may not be uniform with punishment in a neighboring State. If a man commits a serious crime in one State and flees to another, he may, on application of the Executive authority of the State in which the crime was committed, be apprehended and returned for trial. Such a request from one governor to another is called a requisition [q. v.]. In case flight carries the offender to a foreign country, in most cases he may be apprehended and returned, but in this event the process of securing his return is more complicated, as the foreign Government must be applied to through its Department of State, or Department of Foreign Affairs. The paper which secures the return of the alleged criminal across an international boundary is called an extradition [q. v.].

Crime of 1873. By the passage of a currency law in 1873, Congress closed the mints of the United States to the free coinage of silver, and by that act discriminated against that metal, which had previously been coined on the same terms as gold. This law was very obnoxious to the adherents of the silver question, and came to be called by them the "Crime of 1873." As late as the Presidential campaign of 1896 it was a potent factor in National politics. See BIMETALLISM.

Criminal Cases. A criminal case is a prosecution in the name of the State for violation of any penal statute. In all criminal cases, declares the Constitution, "the accused shall enjoy the right to a speedy and public trial by an impartial jury." The importance of this provision in our fundamental law is very frequently underestimated. Upon the quality of our criminal laws the safety of citizens rests. It frequently happens that a person entirely innocent of wrong-doing may be accused of a serious offense. The law is supposed to proceed against him humanely, on the assumption that he is innocent until proved guilty. Accordingly, every safeguard is thrown around the accused. The indictment under which he must stand trial must be specific; the prisoner is always allowed any reasonable length of time in which to prepare his defense; if he is not ready when the case is called, a postponement is

allowed him; if the prosecution, which means the State, defers his trial beyond a reasonable time, he may demand release from custody. In many States if four terms of court pass without bringing a man to trial after he signifies his readiness for the ordeal, he is freed unconditionally. The trial of every alleged offender must be oral and public; the verdict must be rendered solely upon the evidence and must be positive either for guilt or innocence of the defendant. In Scotland for many years a verdict called the "Scotch verdict" was permissible, which allowed a jury that was undecided to return a verdict of "not proven." Such a verdict has never been legal in America. If the offender is found guilty, again the Constitution comes to his defense with a clause in Amendment 8 which declares that cruel and unusual punishment shall not be inflicted. Mistakes are sometimes made and punishments meted out which seem not to be deserved. In such cases, the Supreme Court of a State may declare the punishment excessive and refer the case back to the trial court for a new hearing. See APPEAL; CIVIL CASES.

Crittenden Compromise, one of the Legislative projects prior to the Civil War, advanced to effect a compromise between the North and the South. It was introduced into the United States Senate on December 18, 1860, at a time when hostilities between the sections seemed certain. It provided for six amendments to the Constitution, and doubtless the people of the States would have ratified each, had the opportunity been offered. However, the Senate could not agree upon them, so the Compromise never reached a vote in the country. The most important of the six provisions declared that the line of 36^0 30′ north latitude should be the boundary between slave and free soil, so long as such territory should remain under Territorial form of government, but that whenever any Territory north or south of said line should contain a population requisite for a member of Congress it should be admitted on an equal footing with the other States, with or without slavery, as its Constitution should provide. The success of the proposed amendments could not have settled the slavery question permanently.

Cruiser, an armored war-vessel, smaller than the battle-ship, built mainly for speed. While an important fighting unit of the navy in a battle, the main use to which a cruiser is put is as a protection to convoys, for dispatch carrying and for scouting. In early days—as far back as the sixteenth century—the necessity for vessels of speed was admitted by maritime nations, and at the time they were called "fly-boats," or "pinnaces." In our navy the first cruiser of modern type was the ill-fated "Maine," destroyed in Havana harbor in 1898. See NAVY OF THE UNITED STATES.

Currency. In the strictest sense, any medium of exchange that is everywhere received without question is currency,

FAC-SIMILE OF CONTINENTAL BILLS.

whether it be coin or paper money. During the last century, however, the term has come to be confined practically to the latter.

Not always have governments been able to provide money, or what has been accepted as money, in convenient form for general use. In the early colonial days, wampum was a recognized and legal medium of exchange, in every sense regarded by the people as currency. In some of the seaboard colonies, it is remembered that tobacco was used as a medium of exchange, even ministers' salaries having been

paid in this commodity. At the time that the Virginians received a shipload of young women from England to become wives of the settlers, their passage to this country was paid in tobacco. The early continental bills of Revolutionary days were crudely printed and possessed no stability, there being no plan of redemption back of them. The value of such currency is always conditioned upon the prosperity of the country responsible for its issue. In the early Revolutionary days, Continental currency was accepted at par, but when reverses came it depreciated in value until $100 in gold would purchase nearly $3,000 in paper currency. Laws, penalties, entreaties could not sustain its value.

The paper money of today is of four kinds—legal tender notes, National bank notes, gold and silver certificates. The legal tender notes of the United States are bills issued merely on the credit of the Government. For years they were fiat money only, but in 1882 Congress passed an act directing the Treasury of the United States to hold gold and silver in reserve for their redemption. National bank notes are issued by National banks and their redemption is guaranteed by the National Government. Gold and silver certificates are issued by the Government, and to redeem them there is always on hand in the Treasury at Washington gold and silver to the amount of the certificates outstanding. These certificates give to the country a very convenient currency; were it not for them, gold and silver coin would be issued, necessarily in such quantities as to be a serious inconvenience on account of bulk and weight. See Coinage; Fiat Money; Wampum; National Banking System.

Customhouse, an office designated by the general Government to receive shipments reaching this country from a foreign port. Not only are foreign goods received at customhouses and held for payment of customs duties [q. v.], or tariffs, but the customs officials are required to give clearance papers to vessels departing for foreign ports showing quantities and kinds of goods composing outgoing cargoes and certifying that all maritime regulations have been complied with. Customhouses

are frequently located in cities not on the seacoast or near the borders of the country, so imports may be shipped inland under bond and duties paid at customhouses nearest the homes of consignees. This arrangement distributes the labors of customs officials also, by lessening the work of appraising at ports of entry [q. v.]. The chief officer at each customhouse is the collector of the port, who receives all money paid on dutiable merchandise; the second officer is the appraiser, who fixes the amount of customs charges to be paid, in conformity with the tariff laws. The principal customhouses in the various States are located in the following cities:

Alabama—Mobile.
Alaska—Sitka.
California—Eureka, San Diego, San Francisco, Wilmington.
Colorado—Denver.
Connecticut—Fairfield, Hartford, New Haven, New London, Stonington.
Delaware—Wilmington.
District of Columbia—Georgetown.
Florida—Appalachicola, Cedar Keys, Fernandina, Jacksonville, Key West, Pensacola, St. Augustine, Tampa.
Georgia—Atlanta, Brunswick, St. Mary's, Savannah.
Illinois—Chicago, Galena.
Indiana—Evansville, Indianapolis, Michigan City.
Iowa—Burlington, Dubuque.
Kentucky—Louisville, Paducah.
Louisiana—Brashear, New Orleans.
Maine—Bangor, Bath, Belfast, Castine, Eastport, Ellsworth, Houlton, Kennebunk, Machias, Portland, Saco, Waldoborough, Wiscasset, York.
Maryland—Annapolis, Baltimore, Crisfield.
Massachusetts—Barnstable, Boston, Edgarton, Fall River, Gloucester, Marblehead, Nantucket, New Bedford, Newburyport, Plymouth, Salem.
Michigan—Detroit, Grand Haven, Grand Rapids, Marquette, Port Huron.
Minnesota—Duluth, St. Paul.
Mississippi—Natchez, Shieldsborough, Vicksburg.
Missouri—Kansas City, St. Joseph, St. Louis.
Montana—Great Falls.
Nebraska—Omaha.
New Hampshire—Portsmouth.
New Jersey—Bridgeton, Newark, Perth Amboy, Somers Point, Trenton, Tuckerton.

New York—Albany, Buffalo, Cape Vincent, Dunkirk, New York, Ogdensburg, Oswego, Patchogue, Plattsburg, Port Jefferson, Rochester, Sag Harbor, Suspension Bridge.
North Carolina—Beaufort, Edenton, Newberne, Wilmington.
Ohio—Cincinnati, Columbus, Cleveland, Sandusky, Toledo.
Oregon—Astoria, Empire City, Portland, Yaquima.
Pennsylvania—Erie, Philadelphia, Pittsburg.
Rhode Island—Bristol, Newport, Providence.
South Carolina—Beaufort, Charleston, Georgetown.
Tennessee—Chattanooga, Memphis.
Texas—Brownsville, Corpus Christi, Eagle Pass, El Paso, Galveston.
Vermont—Burlington.
Virginia—Alexandria, Cherry Stone, Newport News, Norfolk, Petersburg, Richmond, Tappahannock.
Washington—Port Townsend.
West Virginia—Wheeling.
Wisconsin—La Crosse, Milwaukee.

Customs Duties, a term usually shortened in common use to the word duties. A duty is a tax which is levied by the Federal Government upon goods imported into the country. In some European countries it is not uncommon to levy duties upon exports also, but usually this hardship upon the people is imposed only in time of famine, and the list of articles subject to such export duty includes only foodstuffs which are necessary for home consumption. Export duties can never be levied n the United States, being prohibited in Article I, Section 9, of the Constitution.

A duty is never a direct tax; only the persons who purchase articles on which a tariff has been placed pay the customs tax, or any part of it, whereas a direct tax is levied upon all paterns, within certain limitations. Congress has sole power to designate upon what imports customs duties shall be levied. Every bill for raising revenue must originate in the House of Representatives. This is a Constitutional provision; the Representatives are given the initiative because they come to Congress more directly from the people than is the case of the Senators, and possibly reflect more accurately public opinion on the subject of tariffs. After a tariff bill has passed the House, the Senate is privileged to propose amendments and usually makes many alterations in the schedules of articles

listed for taxation. As agreed upon finally by the two Houses and signed by the President, a tariff law usually remains in effect a dozen years or more, as too frequent alterations are prejudicial to business interests. Many times changes in tariff schedules have been dictated solely by political expediency. The various tariff acts of the United States usually bear the name of the Chairman of the Ways and Means Committee [q. v.] of the House of Representatives, who is the most conspicuous official engaged in tariff revision. We thus account for the name of the Morrill Bill, the Mills Bill, the McKinley Bill, the Dingley Bill, etc.

In framing a tariff bill, five kinds of customs duties may be employed, viz.: *ad valorem*, specific, minimum, compound, and discriminating. *Ad valorem* duties are import duties based upon the actual value of the goods, without respect to any other considerations; the phrase means "according to the value of." Specific duties are import taxes levied in certain specified amounts per yard, per pound, per gallon, etc., without respect to actual value. A minimum duty is a modification of the above forms; under this designation goods that cost less than a certain amount are taxed as though they cost that sum. No wide application is given to minimum duties. A compound duty is, as its name suggests, a combination of *ad valorem* and specific duties, levied on certain manufactured articles. The specific part of such a duty equals the rate which would have been imposed on the imported raw material had it been sent here for manufacture; the *ad valorem* part is never added solely to produce revenue, but to protect the home manufacturer of the same class of articles against cheaper foreign competition [See PROTECTIVE TARIFF]. Discriminating duties are additions to the usual specific or *ad valorem* rate, levied upon imports from certain countries, or which are brought here in vessels of certain specified nations. Tariff acts of late years have contained no items under this designation.

Whether *ad valorem* or specific duties are best for the interests of all concerned is a question which is much debated. Obviously, if schedules were always honestly sworn to by

importers, the *ad valorem* plan would be the fairer; but there is much temptation to defraud the Government by statements of under-valuation. Then, too, importers frequently complain that the purchase of goods on a falling market abroad and an *ad valorem* levy at market rates upon entering home ports occasions injustice if the market price is higher than the purchase price. The chief objection to specific duties is that they do not discriminate between goods of a high quality and those of inferior manufacture. However, specific levies are more easily adjusted, and they offer less chance of fraud than any other plan that has ever been proposed. See CUSTOMS DUTIES, PRESENT SCHEDULE; TARIFF.

Customs Duties, PRESENT SCHEDULE. The following list gives the tariff rates under the Dingley Bill, the law now in force (1908) governing the collection of import duties. The abbreviation n. s. p. signifies "not specially provided for." The amounts given in dollars and cents are specific and the percentages are *ad valorem* duties:

Agricultural implements, 20%.

Alcohol, amyl or fusel oil, ¼c lb.

Animals, n. s. p., 20%; for breeding, free; cattle, less than 1 year old, $2 per head; value under $14, $3.75 head; value over $14, 27½%; hogs, $1.50 head; horses and mules, value under $150, $30 head; value over $150, 25%; sheep, 1 year or older, $1.50; under 1 year, 75c head.

Apples, green, 25c bu.; dried, 2c lb.

Art, works of, such as paintings and statuary, 29%; by American artists, free.

Bacon and hams, 5c lb.

Barley, 30c bu. of 48 lbs.; malt, 45c bu. of 34 lbs.

Barrels, casks, empty, 30%.

Baskets, 35% to 60%.

Beaded fabrics, not wool, 60%; wool, 50c lb. and 60%.

Beads, not strung, 35%; in jewelry, 60%

Beans, edible, 45c bu. of 60 lbs.

Beef, fresh, 2c lb.

Bindings, 45% to 60%.

Birds, free; dressed for ornaments, 50%.

Biscuit and crackers, 20%.

Blankets, 22c lb and 30%; value 40c to 50c, 33c lb and 35%; value over 50c, 33c and 40%; over 3 yards long, 33c to 44c lb. and 50% to 55%.

Bone manufactures of, n. s. p., 30%.

Books, pamphlets, 25%; printed 20 years, free.

Boots and shoes (leather), 25%.

Bottles, glass, ornamented, 60%; plain, empty, 1c to 1½c, but not less than 40%.

Braids, cotton, linen, rubber, silk, 60%; grass, straw, 30%.

Bronze, manufactures, 45%.

Brushes, 40%.

Buggies, carriages, 45%.

Butter and substitutes for, 6c lb.

Buttons, sleeve and collar, gilt, 50%.

Cameras, 45%.

Canvas, sail, cotton, 35%.

Carbons, for electric lights, 90c per 100; pots, 20%.

Carpets, 2-ply ingrain, 18c square yard and 40%; Brussels, 44c square yard and 40%; Axminster, 60c square yard and 40%; Wilton, ditto; rugs, 5c to 10c square yard and 35% to 40%.

Cement, Portland, hydraulic, 8c per 100 lbs.; India rubber, etc., 20%.
Charcoal, 20%.
Cheese, 6c lb.
Chemical compounds, n. s. p., 25%.
China, plain, 55%; decorated, 60%.
Chocolate and cocoa, value not over 15c lb., 2½c lb.; value 15c to 24c, 2½c lb. and 10%; value 24c to 35c, 5c lb. and 10%; value over 35c, 50%.
Cigars, cigarettes, $4.50 lb. and 25%.
Clocks, n. s. p., 40%.
Clothing, cotton, 50%; fur, 35%; rubber, 30%; silk, 60%; wool, 44c lb. and 60%.
Coal, free; coke, 20%.
Coffee, free.
Combs, 35% to 60%.
Copper, manufactures of, 45%; ingots, ores, free.
Cork, bark, 8c lb.; manufactures, 25%.
Corn, 15c bu. of 56 lbs.
Cornstarch (food), 20%.
Cotton, raw, free; cloth, from 1c to 8c square yard and 45%; duck, 35%; articles made of, without silk, 45%; with silk, 50%.
Cotton-seed meal, 20%; oil, 4c gal.
Cotton thread on spools, 6c doz.

Diamonds, cut but not set, 10%; rough, free; set, 60%.
Drugs, crude, free; refined or ground, ½c lb. and 10%.
Dyewoods, crude, free; extracts, ⅛c lb.

Earthenware, plain, 25%; decorated, 55 to 60%.
Eggs, n. s. p., 5c doz.
Embroideries, 60%.
Engravings, 25%.
Envelopes, plain, 20%; other, 35%.

Fans, palmleaf, free; all other, 50%.
Feathers, for beds, 15%; plain, 15%; colored, etc., 50%.
Felt, roofing, 10%.
Felts, not woven, n. s. p., 44c lb. and 60%.
Fertilizers, free.
Fish, American fisheries, free; anchovies, sardines and the like, 1½c to 10c per pkg., according to size; smoked, dried, ¾c lb.; halibut, 1c lb.; herrings, pickled, 1c lb.; fresh, ½c lb.; lobsters free; mackerel, salmon, 1c lb.
Flax, manufactures of, n. s. p., 45%.
Flaxseed, 25c bu. of 56 lbs.
Flour, wheat, 25%.
Flowers, artificial, 50%.
Fruits, green, n. s. p., free; dried, 2c lb.; cherries, 25c bu.; cranberries, 25%; dates, ½c lb.; figs, 2c lb.; jellies, 35%; preserved, n. s. p., 1c lb. and 35%; prunes, 2c lb.; raisins, 2½c lb.
Furniture, (wood), 35%.
Fur, manufactures, n. s. p., 35%; skins, undressed, free.

Glass, n. s. p., 45%; polished plate, from 8c to 35c per square foot, according to size; polished and silvered, from 11c to 38c square foot; common window glass, 4⅜c to 1⅜c per square foot
Glass, articles of, ornamented, 60%; manufactures, n. s. p., 45%.
Gloves, cotton, 50%; fur, 35%; linen, 50%; leather, from $1.75 to $4.75 per doz. pairs, according to length.
Glucose or grape sugar, 1½c lb.
Glue, less value than 10c lb., 2½c; over 10c, 25%.
Gold, manufactures, 45%; jewelry, 60%.
Grass fibers, n. s. p., 45%.
Gutta-percha, manufactures of, n. s. p., 35%.

Hair, human, unmanufactured, 20%; manufactures of, 35%.
Hats, caps, bonnets and hoods, from 35% to 60%, according to material.
Hay, $4 per ton.
Hemp, hackled, $40 per ton; not hackled, $20, manufactures, n. s. p., 45%.
Hides, raw, 15%.
Honey, 20c gal.
Hops, 12c lb.
Horn, manufactures, n. s. p., 30%.

India rubber, manufactures of, n. s. p., 30%; vulcanized, 35%.
Ink, 25%.
Iron and steel, common sheets, various specific rates, according to value per lb., average 45.43% ad val.; manufactures of, n. s. p., 45%; beams, girders, etc., ½c lb.; hoop, band or scroll, n. s. p., 5-10c to 8-10c lb.; round iron or steel wire, average 40.22% ad val.; wire nails not less than 1 inch long, etc., ½c lb.; iron or

steel tubes, etc., 2c lb. or 35%; cast-iron pipe, 4-10c lb.; rails, 7-20c lb.
Ivory, unmanufactured, free; manufactured, 35%.

Jet, manufactures of, n. s. p., 50%.
Jewelry, 60%.
Jute, manufactures of, n. s. p., 45%

Knit wearing apparel, 60%.
Knives, pocket, 40% to 20c each and 40%, according to value; other knives, 45%.

Lace, articles of, n. s. p., 60%.
Lamps, 45% to 60%.
Lard, 2c lb.
Laths, 25c per 1,000.
Lead, manufactures of, n. s. p., 45%; in any form, n. s. p., 2½c lb.
Leather, n. s. p., 20%; manufactures, n. s. p., 35%.
Linen, manufactures, 45%; clothing, 60%.
Linseed, 25c bu. of 56 lbs.; meal, 20%; oil cake, free; oil, 20c gal. of 7½ lbs.
Liquors, ale, porter and beer, in bottles, 40c gal.; brandy, n. s. p., $2.25 prf. gal.; cordials, whisky, gin, $2.25 prf. gal.; champagne and all sparkling wines, in bottles of 1 pint to 1 quart, $8 doz.

Macaroni, etc., 1½c lb.
Manila cordage, 1c lb.
Mantels, slate, 20%; marble, 50%; wood, 35%.
Maple sirup, sugar, 4c lb.
Marble, in blocks, 65c cub. ft.; manufactures, n. s. p., 50%.
Marmalade, 1c lb. and 35%.
Matches, friction, 8c gross, in boxes of 100 each; not in boxes, 1c per 1,000.
Matting, floor, n. s. p., value not over 10c square yard, 3c square yard; over 10c, 7c square yard and 30%.
Meats, prepared or preserved, n. s. p., 25%; in carcasses, except beef, pork, mutton or poultry, 10%.
Meerschaum, crude, free; pipes, 60%.
Milk, fresh, 2c gal.
Mineral waters, 20c to 30c doz. bottles.
Mirrors, 45%.
Molasses (see "Sugars").
Musical instruments, 45%.

Mutton, fresh, 2c lb.

Nails, cut, 6-10c lb.; horseshoe, 2½c lb.; wire, 1 inch and over, ½c lb.
Naphtha, 20%.
Needles, n. s. p., 25%; darning, free.
Nickel, manufactures, 6c lb.
Nuts, n. s. p., 1c lb.; almonds, not shelled, 4c lb.; shelled, 6c lb.; filberts, shelled, 5c lb.; not shelled, 3c lb.; walnuts, shelled, 5c lb.; not shelled, 3c lb.

Oats, 15c bu.
Oilcloth, for floors, n. s. p., 8c square yard and 15%.
Oils, n. s. p , 25%; castor, 35c gal.; cod liver, 15c gal.; olive, n. s. p., 40c gal.
Onions, 40c bu.
Opium, crude, $1 lb.; prepared for smoking, $6 lb.
Ore, iron, 40c ton; lead bearing, 1½c lb.; antimony, ground, 20%; other, free.
Oysters, frec.

Paints, colors and pigments, n. s. p., 30%.
Palm leaf, manufactures, 30%.
Paper, n. s. p., 25%; manufactures of, 35%; boxes, 45%; photographic, 3c lb. and 10%; printing, 3-10c lb. to 15%; stock, crude, free.
Paper, writing, from 2c lb. and 10% to 3½c and 25%.
Pencils, lead, 45c gross and 25%.
Pens, except gold, 12c gross.
Pepper, unground, free; other, 2½c to 3c lb.
Perfumery, non-alcoholic, 50%; alcoholic, 60c lb. and 45%.
Pewter, manufactures of, 45%.
Phosphorus, 18c lb.
Photographic lenses, slides, negatives, 45%; plates or films, 25%.
Photographs, printed for more than 20 years, free; on glass, 45%; paper, 25%.
Pickles, n. s. p., 40%.
Pins, not jewelry, 35%.
Plants, nursery stock, n. s. p., 25%.
Plaster, court, etc., 35%.
Porcelain, 55% to 60%.
Pork, fresh, 2c lb.
Potatoes, 60 lbs. to bu., 25c.
Poultry, live, 3c lb.; dressed, 5c lb.
Powder, gun, 4c to 6c lb.; tooth, 50%.
Precious stones, not set, 10%; set, 60%; imitations, not set, 20%.

Proprietary articles and medicines, 25% to 50%.
Pulp wood, n. s. p. 35%; mechanically ground, 1-12c lb.

Rabbits, live, 20%; dressed, 10%.
Rags, wool, 10c lb.; other, free.
Railroad ties, wood, 20%.
Rattan in rough, free; manufactured, 10% to 35%.
Reapers, 20%.
Rice, cleaned, 2c lb.; uncleaned 1¼c lb.
Rubber boots and shoes, 44c lb. and 60%.
Rye, 10c bu.

Salt, in bags, 12c per 100 lbs.; in bulk, 8c per 100 lbs.
Sausages, bologna, German, free; other, 20% to 25%.
Scissors, 15c doz. and 15% to 75c doz. and 25%.
Screws, 4c to 12c lb.
Seeds, n. s. p., 30%.
Sewing machines, 35% to 45%.
Shingles, 30c per 1,000.
Silk, carded and combed, 40c lb.; manufactures, 50%; appliqued articles, 60%; cocoons, free; fabrics, from 50c lb., but not less than 50%, to $4.50 lb., but not less than 50%; laces, 60%.
Silver, manufactures, n. s. p., 45%; bullion, free.
Skins, hide of cattle, 15%; of all kinds, n. s. p., free; bird, 15% to 50%.
Slate, manufactures, n. s. p., 20%.
Smokers' articles, n. s. p., 60%.
Snuff, 55c lb.
Soap, castile, 1¼c lb.; fancy, 15c lb.; laundry, 20%.
Spices, n. s. p., 3c lb.
Sponges, 20%; manufactures, 40%.
Starch, 1½c lb.
Stoves, 45%.
Straw, manufactures, n. s. p., 30%; fibers, n. s. p., 45%; unmanufactured, $1.50 ton
Sugars, not above No. 16 Dutch standard, .95c lb.; above No. 16 Dutch standard, 1.95c lb.: molasses, 3c to 6c gal.; confectionery, n. s. p., value 15c or less per lb., 15%; value more than 15c lb., 50%.

Tallow, ¾c lb.
Tea, free.
Thread, cotton, on spools, 6c doz.
Threshing machines, 20%.
Tiles, plain, 4c square foot; ornamented, 8c to 10c square foot and 25%.
Tin, in bars or ore, free; in plates, 1½c lb.; manufactures of, 45%, but not less than 1½c lb.
Tobacco, wrapper, unstemmed, $1.85 lb.; stemmed, $2.50 lb.; filler, n. s. p., unstemmed, 35c lb.; stemmed, 50c lb.; all other manufactured or unmanufactured, n. s. p., 55c lb.
Twine, binding, free; cotton, 45%; manila, 45%.

Vegetables, n. s. p., 25%; preserved, n. s. p., 40%.
Vinegar, 7½c prf. gal.

Waterproof cloth, 10c square yard, and 20%.
Wax, manufactures, n. s. p., 25%.
Whalebone, manufactures, n. s. p., 30%.
Wheat, 25c bu.
Willow, manufactures, 40%.
Wire, brass, copper, iron, steel, n. s. p., 45%; rods, 4-10c to ¾c lb.
Wood, manufactures, n. s. p., 35%; all wood unmanufactured, n. s. p., 20%; sawed lumber, n. s. p., $2 per 1,000 feet, board measure.
Wool, first class, unwashed, 11c lb.; washed, 22c lb., and scoured, 33c lb.; second class, washed or unwashed, 12c lb.; scoured, 36c lb.; wools of third class, 4c to 7c lb.; blankets, 2c lb. and 30% to 44c lb. and 55%, according to value and size; manufactures, n. s. p., 33c lb. and 50% to 44c and 55%, according to value; yarns, value not over 30c lb., 27½c lb. and 40%; value over 30c lb., 38½c lb. and 40%.

Zinc, manufactures of, n. s. p., 45%.

Customs Union, an agreement between nations, formally arranged by commercial treaty, which provides uniform arrangements for imposing and collecting customs duties. The United States has never been a party to such a plan.

D

Dark Horse, a political phrase, employed during and preceding political conventions. When a convention names a man for an office who was not prominently considered as a candidate, or even discusses such a person and his qualifications, he is called a dark horse.

Deadlock, a condition arising from a division of power in a legislative body, by which progress is blocked. To create a deadlock; it is not necessary always that the contending factions be evenly matched in point of numbers. Legislative rules frequently confer such privileges upon minorities that they can, by working in harmony, effectively halt opposing majorities and often defeat their plans. Most frequently, however, compromises are arranged between the contending forces. A deadlock also may result when in an election of officers in a legislative assembly neither party has sufficient votes to elect its candidates, and neither will yield points in favor of the other. When the two Houses of Congress or of a State Legislature cannot agree upon some matter demanding joint action, a deadlock ensues. Such a struggle is often quite bitter, but ends almost invariably in a compromise fairly satisfactory to all concerned.

Debenture Bond. See Bond.

Debt, Imprisonment for. See Imprisonment for Debt.

Debt of the United States. A system of national indebtedness was unknown to the world until about two hundred years ago. It originated in England out of the urgent financial stress following the Revolution of 1688, and was found to be an easily applied remedy for temporary financial stringency. Each great war Great Britain has waged has added to its burden of debt, until now (1908) the total has reached the vast sum of $3,859,620,745 in United States money, while the debts of Canada, India and Australia, for which the mother country is responsible, to a large degree, add over $2,000,000,000 more.

The national debt of the United States dates from the Revolutionary War; at the conclusion of that conflict we owed practically $75,000,000, which sum included State debts incurred in the war but assumed by the new Government. The Civil War plunged the Nation into obligations which totaled more than $2,773,236,000 in 1866. When the Federal Government borrows money it issues bonds which may be redeemed at a certain date, if desirable, but which must be redeemed at a fixed later time. Our Government bonds are the safest investment known, and every issue of them is speedily subscribed for, nearly always at a premium. The stability of these securities has gradually reduced their interest rate from about seven per cent to two and a half and three per cent per annum.

The following statement shows what the indebtedness of our country was on January 1 of each year from 1791 to 1843, inclusive, and on July 1 of each year since then. In 1843, the beginning of the Government fiscal [q. v.] year was changed from January to July:

Year.	Amount.	Year.	Amount.	Year.	Amount.	Year.	Amount.
1791..	$75,463,476.52	1821..	$89,987,427.66	1850..	$63,452,773.55	1880..	$2,120,415,370.63
1792..	77,227,924.66	1822..	93,546,676.98	1851..	68,304,796.02	1881..	2,069,013,569.58
1793..	80,358,634.04	1823..	90,875,877.28	1852..	66,199,341.71	1882..	1,918,312,994.03
1794..	78,427,404.77	1824..	90,269,777.77	1853..	59,803,117.70	1883..	1,884,171,728.07
1795..	80,747,587.39	1825..	83,788,332.71	1854..	42,242,222.42	1884..	1,830,528,923.57
1796..	83,762,172.07	1826..	81,955,059.99	1855..	35,586,956.56	1885..	1,863,964,873.14
1797..	82,064,479.33	1827..	73,987,357.20	1856..	31,932,537.90	1886..	1,775,063,013.78
1798..	79,228,529.12	1828..	67,475,043.87	1857..	28,699,831.85	1887..	1,657,602,592.63
1799..	78,408,669.77	1829..	58,421,413.67	1858..	44,911,881.03	1888..	1,692,858,984,58
1800..	82,976,294.35	1830..	48,565,406.50	1859..	58,496,837.88	1889..	1,610,052,922.23
1801..	83,038,050.80	1831..	39,123,191.68	1860..	64,842,287.88	1890..	1,552,140,204.73
1802..	80,712,632.25	1832..	24,322,235.18	1861..	90,580,873.72	1891..	1,545,996,591.61
1803..	77,054,686.40	1833..	7,001,698.83	1862..	524,176,412.13	1892..	1,588,464,144.63
1804..	86,427,120.88	1834..	4,760,082.08	1863..	1,119,772,138.63	1893..	1,545,985,686.13
1805..	82,312,150.50	1835..	33,733.05	1864..	1,815,784,370.57	1894..	1,632,253,636.68
1806..	75,723,270.66	1836..	37,513.05	1865..	2,680,647,869.74	1895..	1,676,120,983.25
1807..	69,218,398.64	1837..	336,957.83	1866..	2,773,236,173.69	1896..	1,769,840,323.40
1808..	65,196,317.97	1838..	3,308,124.07	1867..	2,678,126,103.87	1897..	1,817,672,665.90
1809..	57,023,192.09	1839..	10,434,221,14	1868..	2,611,687,851.19	1898..	1,796,531,995.90
1810..	53,173,217.52	1840..	3,573,343.32	1869..	2,588,452,213.94	1899..	1,991,927,306.92
1811..	48,005,587.76	1841..	5,250,875.54	1870..	2,480,672,427.81	1900..	2,136,961,091.67
1812..	45,209,737.90	1842..	13,594,480.73	1871..	2,353,211,332.32	1901..	2,143,326,933.89
1813..	55,962,827.57	1843..	20,201,226.27	1872..	2,253,251,328.78	1902..	2,158,610,445.89
1814..	81,487,846.24	1843..	32,742,922.00	1873..	2,234,482,993.20	1903..	2,202,464,781.89
1815..	99,833,660.15	1844..	23,461,652.50	1874..	2,251,690,468.43	1904..	2,264,003,585.14
1816..	127,334,933.74	1845..	15,925,303.01	1875..	2,232,284,531.95	1905..	2,274,615,063.84
1817..	123,591,965.16	1846..	15,550,202.97	1876..	2,180,395,067.15	1906..	2,337,161,839.04
1818..	103,466,633.83	1847..	38,826,534.77	1877..	2,205,301,392.10	1907..	2,457,188,061.54
1819..	95,529,648.28	1848..	47,044,862.23	1878..	2,256,205,892.53	1908..	.....
1820..	91,015,566.15	1849..	63,061,858.69	1879..	2,340,567,232.04	1909..	.....

Declaration in Lieu of Oath. The religious views of some persons make the usual form of oath, "So help me God," extremely objectionable, and the Constitution, in spirit, if not in letter, protects one in his refusal to subscribe to such an oath. In such case an unsworn statement, before a competent officer, that the person will tell the truth and nothing but the truth in the testimony he may be called upon to give, is accepted in any court. Under the common law of England only persons declaring their belief in God could testify, as the usual form of oath was considered necessary to bind a witness. Modern statutes in all countries permit every class of citizens and subjects to qualify as witnesses, regardless of their religious opinions. The legal effect of a declaration in lieu of an oath is the same as when the usual form is used, and a violation of such formal declaration is perjury. See OATH.

Decentralization, a term now little used, but once a political issue. By decentralization is meant a strict construction of the Constitution, by which the Federal power is limited and the power of the individual States increased. The opponents of this idea construed the Constitution broadly and argued in favor of centralizing the greatest possible power in the hands of the general Government. See CONSTRUCTION OF THE CONSTITUTION.

Declaration of Colonial Rights. In the First Colonial Congress, in 1774, a committee of two from each colony was named to frame and report a declaration embodying the rights of the colonies, the same to be sent respectfully to the English Parliament. This Declaration demanded that the English dependencies in America be accorded (1) their natural rights; (2) all the rights, liberties and immunities to which any free-born Englishman was entitled. It further was declared that by emigration to America their ancestors had lost none of their rights and that these were the inheritance of their descendants; that the foundation of all free governments is in the right of the people to participate in legislation; that inasmuch as the colonists were excluded from representation in the British Parliament, they were entitled to the exclusive

power of legislation in their several provinces; that they were entitled to the benefits of the practice of the common law of England, and especially to the privilege of being tried by juries of their peers in their own community, and not suffer deportation to England to be tried on strange soil. The right peacefully to assemble, state their grievances, and petition the king without interference from royal governors was also demanded; the custom of keeping a standing army in any colony, contrary to the consent of the people, was denounced. Lastly, the privilege of the king to appoint counsellors from among the colonists and revoke their authority at will was condemned. The full text of the Declaration follows:

WHEREAS, since the close of the last war, the British Parliament claiming a power of right to bind the people of America by statutes in all cases whatsoever, hath, in some acts, expressly imposed taxes on them, and in others, under various pretenses, but in fact for the purpose of raising a revenue, hath imposed rates and duties payable in the colonies, established a board of commissioners, with unconstitutional powers, and extended the jurisdiction of courts of admiralty, not only for collecting the said duties, but for the trial of causes merely arising within the body of a country.

And whereas, in consequence of other statutes, judges, who before held only estates at will in their offices, have been made dependent on the crown alone for their salaries, and standing armies kept in times of peace; And whereas it has lately been resolved in Parliament, that by force of a statute, made in the thirty-fifth year of the reign of King Henry the Eighth, colonists may be transported to England, and tried there upon accusations for treasons and misprision, or concealments of treasons committed in the colonies, and by a late statute, such trials have been directed in cases therein mentioned.

And whereas, in the last session of Parliament, three statutes were made; one entitled an "Act to discontinue in such manner and for such "time as are therein mentioned, the landing and discharging, lading, or "shipping of goods, wares and merchandise, at the town, and within the "harbour of Boston, in the province of Massachusetts Bay, in North "America"; another, entitled "An act for the impartial administration "of justice, in the cases of persons questioned for any act done by them in "the execution of the law, or for the suppression of riots and tumults, in "the province of the Massachusetts-Bay, in New England"; and another statute was then made "for making more effectual provision for the gov- "ernment of the province of Quebec, etc." All which statutes are impolitic,

unjust and cruel, as well as unconstitutional, and most dangerous and destructive of American rights.

And whereas, assemblies have been frequently dissolved, contrary to the rights of the people, when they attempted to deliberate on grievances; and their dutiful, humble, loyal, and reasonable petitions to the crown for redress, have been repeatedly treated with contempt by his majesty's ministers of state:

The good people of the several colonies of New Hampshire, Massachusetts Bay, Rhode Island and Providence Plantations, Connecticut, New York, New Jersey, Pennsylvania, New Castle, Kent, and Sussex, on Delaware, Maryland, Virginia, North Carolina and South Carolina, justly alarmed at these arbitrary proceedings of Parliament and administration, have severally elected, constituted, and appointed deputies to meet, and sit in General Congress, in the city of Philadelphia in order to obtain such establishment as that their religion, laws, and liberties, may not be subverted. Whereupon the deputies so appointed being now assembled, in a full and free representation of these colonies, taking into their most serious consideration, the best means of attaining the ends aforesaid, do, in the first place, as Englishmen, their ancestors in like cases have usually done, for effecting and vindicating their rights and liberties DECLARE,

That the inhabitants of the English colonies in North America, by the immutable laws of nature, the principles of the English constitution, and the several charters or compacts, have the following RIGHTS:

Resolved, N. C. D.* 1. That they are entitled to life, liberty, and property, and they have never ceded to any sovereign power whatever, a right to dispose of either without their consent.

Resolved, N. C. D. 2. That our ancestors, who first settled these colonies, were at the time of their emigration from the mother country, entitled to all the rights, liberties, and immunities of free and natural-born subjects, within the realm of England.

Resolved, N. C. D. 3. That by such emigration they by no means forfeited, surrendered, or lost any of these rights, but that they were, and their descendants now are, entitled to the exercise and enjoyment of all such of them, as their local and other circumstances enable them to exercise and enjoy.

Resolved, 4. That the foundation of English liberty, and of all free government, is a right in the people to participate in their legislative council; and as the English colonists are not represented, and from their local and other circumstances, cannot properly be represented in the British Parliament, they are entitled to a free and exclusive power of legislation in their several provincial legislatures, where their right of representation can alone be preserved, in all cases of taxation and internal polity, subject only to the negative of their sovereign, in such manner as has been heretofore used and accustomed. But, from the necessity of

the case, and a regard to the mutual interest of both countries, we cheerfully consent to the operation of such acts of the British Parliament, as are bona fide, restrained to the regulation of our external commerce, for the purpose of securing the commercial advantages of the whole empire to the mother country, and the commercial benefits of its respective members; excluding every idea of taxation internal or external, for raising a revenue on the subjects in America, without their consent.

Resolved, N. C. D. 5. That the respective colonies are entitled to the common law of England, and more especially to the great and inestimable privilege of being tried by their peers of the vicinage, according to the course of that law.

Resolved, 6. That they are entitled to the benefit of such of the English statutes, as existed at the time of their colonization; and which they have, by experience, respectively found to be applicable to their several local and other circumstances.

Resolved, N. C. D. 7. That these, his majesty's colonies, are likewise entitled to all the immunities and privileges granted and confirmed to them by royal charters, or secured by their several codes of provincial laws.

Resolved, N. C. D. 8. That they have a right peaceably to assemble, consider of their grievances, and petition the King; and that all prosecutions, prohibitory proclamations and commitments for the same, are illegal.

Resolved, N. C. D. 9. That the keeping a standing army in these colonies, in times of peace, without the consent of the legislature of that colony, in which such army is kept, is against law.

Resolved, N. C. D. 10. It is indispensably necessary to good government, and rendered essential by the English constitution, that the constituent branches of the legislature be independent of each other; that, therefore, the exercise of legislative power in several colonies, by a council appointed, during pleasure, by the crown, is unconstitutional, dangerous and destructive to the freedom of American legislation.

All and each of which the aforesaid deputies, in behalf of themselves, and their constituents, do claim, demand and insist on, as their indubitable rights and liberties; which cannot be legally taken from them, altered or abridged by any power whatever, without their own consent, by their representatives in their several provincial legislatures.

In the course of our inquiry, we find many infringements and violations of the foregoing rights, which from an ardent desire, that harmony and mutual intercourse of affection and interest may be restored, we pass over for the present, and proceed to state such acts and measures as have been adopted since the last war, which demonstrate a system formed to enslave America.

Resolved, N. C. D. That the following acts of Parliament are infringements and violations of the rights of the colonists; and that the repeal of them is essentially necessary, in order to restore harmony between Great Britain and the American colonies, *viz.:*

The several acts of 4 Geo. III., ch. 15, and ch. 34.—5 Geo. III., ch. 25.—6 Geo. III., ch. 52.—7 Geo. III., ch. 41 and ch. 46.—8 Geo. III., ch. 22, which impose duties for the purpose of raising a revenue in America, extend the power of the admiralty courts beyond their ancient limits, deprive the American subject of trial by jury, authorize the judges' certificate to indemnify the prosecutor from damages, that he might otherwise be liable to, requiring oppressive security from a claimant of ships and goods seized, before he shall be allowed to defend his property, and are subversive of American rights.

Also 12 Geo. III., ch. 24, entitled "An act for the better securing his majesty's dockyards, magazines, ships, ammunition and stores," which declares a new offence in America, and deprives the American subject of a constitutional trial by jury of the vicinage, by authorizing the trial of any person, charged with the committing any offence described in the said act, out of the realm, to be indicted and tried for the same in any shire or county within the realm.

Also the three acts passed in the last session of Parliament, for stopping the port and blocking up the harbor of Boston, for altering the charter and government of Massachusetts Bay, and that which is entitled "An act for the better administration of justice," etc.

Also the act passed in the same session for establishing the Roman Catholic religion, in the province of Quebec, abolishing the equitable system of English laws, and erecting a tyranny there, to the great danger (from so total a dissimilarity of religion, law and government) of the neighboring British colonies, by the assistance of whose blood and treasure the said country was conquered from France.

Also, the act passed in the same session, for the better providing suitable quarters for officers and soldiers in his majesty's service, in North America.

Also, that the keeping a standing army in several of these colonies, in time of peace, without the consent of the legislature of that colony, in which such army is kept, is against law.

To these grievous acts and measures, Americans cannot submit, but in hopes their fellow-subjects in Great Britain will, on a revision of them, restore us to that state, in which both countries found happiness and prosperity, we have for the present, only resolved to pursue the following peaceable measures:

1. To enter into a non-importation, non-consumption, and non-exportation agreement or association.

2. To prepare an address to the people of Great Britain, and a memorial to the inhabitants of British America; and

3. To prepare a loyal address to his majesty, agreeable to resolutions already entered into.

ADOPTED BY THE SECOND CONTINENTAL CONGRESS.

*N. C. D. *Nemine contradicente* (Lat.) no one speaking in opposition; namely, unanimously, often abbreviated *nem. con.*

The British Government's receipt of the Declaration was answered by repressive measures more drastic than any hitherto ordered, and far-seeing patriots clearly felt the necessity of early resort to arms. See COLONIAL CONGRESS.

Declaration of Independence, the document through which the thirteen colonies of Great Britain in America announced their independence of the mother country. When the war clouds of the Revolution began to gather, there was little thought of separation from England, except probably in the minds of those gifted with unusual political sagacity. Such a sentiment spread rapidly, however, when the oppressor showed no inclination towards moderation, and on June 7, 1776, Richard Henry Lee introduced into the Continental Congress, sitting at Philadelphia, the epoch-making resolution—

"That these United Colonies are, and of right ought to be, free and independent States; that they are absolved from all allegiance to the British Crown, and that all political connection between them and the State of Great Britain is, and ought to be, totally dissolved."

These resolutions were seconded by John Adams and laid on the table until June 10, when a committee was appointed "to prepare a declaration to the effect of the first said resolution." The names of future illustrious Americans appeared on the roster of that important committee; Thomas Jefferson was its chairman, and fellow-members included such men as John Adams, Benjamin Franklin, Robert Morris and Richard Henry Lee. Every colony was accorded representation. The committee reported on June 28, the Declaration was taken up for debate on July 1, and on July 4 it passed Congress and was published to the world.

In its finally accepted form, the Declaration of Independence is shorter than reported by the committee, several

amendments having been made before the final vote was taken. A comparison of the two drafts will be of interest:

AS REPORTED BY THE COMMITTEE.

When, in the course of human events, it becomes necessary for one people to dissolve the political bands which have connected them with another, and to assume, among the powers of the earth, the separate and equal station to which the laws of nature and of nature's God entitle them, a decent respect to the opinions of mankind requires that they should declare the causes which impel them to the separation.

We hold these truths to be self-evident; that all men are created equal; that they are endowed by their Creator with inherent and inalienable rights; that among these are life, liberty and the pursuit of happiness; that, to secure these rights, governments are instituted among men, deriving their just powers from the consent of the governed; that, whenever any form of government becomes destructive of these ends, it is the right of the people to alter or to abolish it, and to institute new government, laying its foundation on such principles, and organizing its powers in such form, as to them shall seem most likely to effect their safety and happiness. Prudence, indeed, will dictate, that governments, long established, should not be changed for light and transient causes. And, accordingly, all experience hath shown that mankind are more disposed to suffer, while evils are sufferable, than to right themselves by abolishing the forms to which they are accustomed. But when a long train of abuses and usurpations, begun at a distinguished period, and pursuing invariably the same object, evinces a design to reduce them under absolute despotism, it is their right, it is their duty, to throw off such government, and to provide new guards for their future security. Such has been the patient sufferance of these colonies; and such is now the necessity which constrains them to expunge their former systems of government. The history of the present King of Great Britain is a history of unremitting injuries and usurpations; among which appears no solitary fact to contradict the uniform tenor of the rest; but all have, in direct object, the establishment of an absolute tyranny over these states. To prove this, let facts be submitted to a candid world; for the truth of which we pledge a faith yet unsullied by falsehood.

He has refused to assent to laws the most wholesome and necessary for the public good.

He has forbidden his governors to pass laws of immediate and pressing importance, unless suspended in their operation till his assent should be obtained; and when so suspended, he has neglected utterly to attend them.

He has refused to pass other laws for the accommodation of large districts of people, unless the people would relinquish the right of representation in the Legislature; a right inestimable to them, and formidable to tyrants only.

He has called together legislative bodies at places unusual, uncomfortable, and distant from the repository of their public records, for the sole purpose of fatiguing them into compliance with his measures.

He has dissolved representative houses repeatedly and continually, for opposing with manly firmness his invasions on the rights of the people.

He has refused, for a long time after such dissolutions, to cause others to be elected, whereby the legislative powers, incapable of annihilation, have returned to the people at large for their exercise, the state remaining in the meantime exposed to all the dangers from without and convulsions within.

He has endeavored to prevent the population of these states: for that purpose obstructing the laws for naturalization of foreigners: refusing to pass others to encourage their migrations hither; and raising the conditions of new appropriations of lands.

He has suffered the administration of justice totally to cease in some of these states, refusing his assent to laws for establishing judiciary powers.

He has made our judges dependent on his will alone, for the tenure of their offices and the amount and payment of their salaries.

He has erected a multitude of new offices by a self assumed power, and sent hither swarms of officers to harass our people and eat out their substance.

He has kept among us, in times of peace, standing armies and ships of war, without the consent of our Legislatures.

He has affected to render the military independent of, and superior to, the civil power.

He has combined with others to subject us to a jurisdiction foreign to our constitutions, and unacknowledged by our laws; giving his assent to their acts of pretended legislation:

For quartering large bodies of armed troops among us;

For protecting them, by a mock trial, from punishment for any murders which they should commit on the inhabitants of these states;

For cutting off our trade with all parts of the world;

For imposing taxes on us without our consent;

For depriving us of the benefits of trial by jury;

For transporting us beyond the seas to be tried for pretended offenses;

For abolishing the free system of English laws in a neighboring province, establishing an arbitrary government, and enlarging its boundaries so as to render it at once an example and fit instrument for introducing the same absolute rule into these states;

For taking away our charters, abolishing our most valuable laws, and altering fundamentally the forms of our governments;

For suspending our own Legislatures, and declaring themselves invested with power to legislate for us in all cases whatsoever.

He has abdicated government here, withdrawing his governors, and declaring us out of his allegiance and protection, and waging war against us.

He has plundered our seas, ravaged our coasts, burned our towns, and destroyed the lives of our people.

He is at this time transporting large armies of foreign mercenaries to complete the works of death, desolation, and tyranny, already begun with circumstances of cruelty and perfidy unworthy the head of a civilized nation.

He has endeavored to bring on the inhabitants of our frontiers the merciless Indian savages, whose known rule of warfare is an undistinguished destruction of all ages, sexes, and conditions of existence; he has excited treasonable insurrections of our fellow-citizens with the allurements of forfeiture and confiscation of our property.

He has constrained others, taken captive on the high seas, to bear arms against their country, to become the executioners of their friends and brethren, or to fall themselves by their hands.

He has waged cruel war against human nature itself, violating its most sacred rights of life and liberty in the persons of a distant people, who never offended him, captivating and carrying them into slavery in another hemisphere, or to incur miserable death in their transportation thither. This piratical warfare of the infidel powers, is the warfare of the CHRISTIAN King of Great Britain. Determined to keep open a market where MEN should be bought and sold, he has prostituted his negative for suppressing every legislative attempt to prohibit or to restrain this execrable commerce. And that this assemblage of horrors might want no fact of distinguished dye, he is now exciting these very people to rise in arms among us, and to purchase that liberty of which he has deprived them by murdering the people upon whom he obtruded them; thus paying off former crimes committed against the LIBERTIES of one people with crimes which he urges them to commit against the LIVES of another.

In every stage of these oppressions we have petitioned for redress in the most humble terms: our repeated petitions have been answered only by repeated injury. A prince whose character is thus marked by every act which may define a tyrant, is unfit to be the ruler of a people who mean to be free. Future ages will scarce believe that the hardiness of one man adventured, within the short compass of twelve years only, to build a foundation so broad and undisguised, for tyranny over a people fostered and fixed in principles of freedom.

Nor have we been wanting in attentions to our British brethren. We have warned them, from time to time, of attempts by their Legislature to extend a jurisdiction over these our States. We have reminded them of the circumstances of our emigration and settlement here, no one of which could warrant so strange a pretension; that these were effected at the expense of our own blood and treasure, unassisted by the wealth or the strength of Great Britain; that in constituting, indeed, our several forms of government, we have adopted one common King, thereby laying a foundation for a perpetual league and amity with them; but that submission to their Parliament was no part of our Constitution, nor ever in idea, if history may be credited; and we appealed to their native justice and magnanimity, as well as to ties of our common kindred, to disavow these usurpations, which were likely to interrupt our connection and correspondence. They too have been deaf to the voice of justice and of consanguinity; and when occasions have been given them, by the regular course of their laws, of removing from their councils the disturbers of our harmony, they have, by their free election, re-established them in power. At this very time, too, they are permitting their chief magistrate to send over, not only soldiers of our common blood, but [Scotch and] foreign mercenaries to invade and destroy us. These facts have given the last stab to agonizing affection, and manly spirit bids us to renounce forever these unfeeling brethren. We must endeavor to forget our former love for them; we must, therefore, acquiesce in the necessity which denounces our separation, and hold them, as we hold the rest of mankind, enemies in war; in peace, friends.

We might have been a free and great people together; but a communication of grandeur and of freedom, it seems, is below their dignity. Be it so, since they will have it. The road to happiness and to glory is open to us too; we will climb it apart from them, and acquiesce in the necessity which denounces our eternal separation.

We, therefore, the representatives of the United States of America, in general Congress assembled, appealing to the Supreme Judge of the world for the rectitude of our intentions, do, in the name, and by the authority of the good people of these States, reject and renounce all allegiance and subjection to the Kings of Great Britain, and all others who may hereafter claim by, through, or under them; we utterly dissolve all political connections which may heretofore have subsisted between us and the Parliament or people of Great Britain; and, finally, we do assert the colonies to be free and independent States; and that, as free and independent States, they have full power to levy war, conclude peace, contract alliances, establish commerce, and to do all other acts and things which independent States may of right do. And for the support of this declaration, we mutually pledge to each other our lives, our fortunes, and our sacred honor.

AS ADOPTED BY THE CONGRESS.

When, in the course of human events, it becomes necessary for one people to dissolve the political bands which have connected them with another, and to assume, among the powers of the earth, the separate and equal station to which the laws of nature and nature's God, entitle them, a decent respect to the opinions of mankind requires that they should declare the causes which impel them to the separation.

We hold these truths to be self-evident—that all men are created equal; that they are endowed by their Creator with certain inalienable rights; that among these

are life, liberty and the pursuit of happiness. That, to secure these rights, governments are instituted among men, deriving their just powers from the consent of the governed; that, whenever any form of government becomes destructive of these ends, it is the right of the people to alter or abolish it, and to institute a new government laying its foundations on such principles, and organizing its powers in such form, as to them shall seem most likely to effect their safety and happiness. Prudence, indeed, will dictate that governments, long established should not be changed for light and transient causes; and, accordingly, all experience hath shown that mankind are more disposed to suffer, while evils are sufferable, than to right themselves by abolishing the forms to which they are accustomed. But when a long train of abuses and usurpations, pursuing invariably the same object, evinces a design to reduce them under absolute despotism, it is their right, it is their duty, to throw off such government, and to provide new guards for their future security. Such has been the patient sufferance of these colonies; and such is now the necessity which constrains them to alter their former systems of government. The history of the present King of Great Britain is a history of repeated injuries and usurpations, all having in direct object the establishment of an absolute tyranny over these states. To prove this, let facts be submitted to a candid world.

He has refused his assent to laws the most wholesome and necessary for the public good.

He has forbidden his governors to pass laws of immediate and pressing importance, unless suspended in their operations till his assent should be obtained; and, when so suspended, he has utterly neglected to attend them.

He has refused to pass other laws for the accommodation of large districts of people, unless these people would relinquish the right of representation in the Legislature—a right inestimable to them, and formidable to tyrants only.

He has called together legislative bodies at places unusual, uncomfortable and stant from the repository of their public records, for the sole purpose of fatiguing them into compliance with his measures.

He has dissolved representative houses repeatedly, for opposing with manly firmness, his invasions on the rights of the people.

He has refused, for a long time after such dissolutions, to cause others to be elected; whereby the legislative powers, incapable of annihilation, have returned to the people at large for their exercise; the state remaining in the mean time, exposed to all the dangers of invasion from without and convulsions within.

He has endeavored to prevent the population of these states; for that purpose obstructing the laws for the naturalization of foreigners; refusing to pass others to encourage their migration hither, and raising the conditions of new appropriations of lands.

He has obstructed the administration of justice, by refusing his assent to laws for establishing judiciary powers.

He has made judges dependent on his will alone for the tenure of their offices, and the amount and payment of their salaries.

He has erected a multitude of new offices, and sent hither swarms of officers, to harass our people and eat out their substance.

He has kept among us, in times of peace, standing armies, without the consent of our Legislatures.

He has affected to render the military independent of, and superior to, the civil power.

He has combined with others to subject us to a jurisdiction foreign to our constitutions and unacknowledged by our laws; giving his assent to their acts of pretended legislation:

For quartering large bodies of armed troops among us;

For protecting them, by a mock trial, from punishment for any murders which they should commit on the inhabitants of these states;

For cutting off our trade with all parts of the world;

For imposing taxes on us without our consent;

For depriving us, in many cases, of the benefits of trial by jury;

For transporting us beyond seas, to be tried for pretended offenses;

For abolishing the free system of English laws in a neighboring province, establishing therein an arbitrary government, and enlarging its boundaries, so as to render it at once an example and fit instrument for introducing the same absolute rule into these colonies;

For taking away our charters, abolishing our most valuable laws, and altering, fundamentally, the forms of our governments;

For suspending our own Legislatures, and declaring themselves invested with power to legislate for us in all cases whatsoever.

He has abdicated government here, by declaring us out of his protection, and waging war against us.

He has plundered our seas, ravaged our coasts, burned our towns, and destroyed the lives of our people.

He is at this time transporting large armies of foreign mercenaries, to complete the works of death, desolation, and tyranny, already begun with circumstances of cruelty and perfidy scarcely paralleled in the most barbarous ages, and totally unworthy the head of a civilized nation.

He has constrained our fellow-citizens, taken captive on the high seas, to bear arms against their country, to become the executioners of their friends and brethren, or to fall themselves by their hands.

He has excited domestic insurrection among us, and has endeavored to bring on the inhabitants of our frontiers the merciless Indian savages, whose known rule of warfare is an undistinguished destruction of all ages, sexes and conditions.

In every stage of these oppressions we have petitioned for redress in the most humble terms; our repeated petitions have been answered only by repeated injury. A prince whose charter is thus marked by every act which may define a tyrant is unfit to be the ruler of a free people.

Nor have we been wanting in our attentions to our British brethren. We have warned them, from time to time, of attempts by their Legislature to extend an unwarrantable jurisdiction over us. We have reminded them of the circumstances of our emigration and settlement here. We have appealed to their native justice and magnanimity and we have conjured them by the ties of our common kindred, to disavow these usurpations, which would inevitably interrupt our connections and correspondence. They, too, have been deaf to the voice of justice and of consanguinity. We must, therefore, acquiesce in the necessity which denounces our separation and hold them as we hold the rest of mankind—enemies in war—in peace, friends.

We, therefore, the representatives of the United States of America, in general Congress assembled, appealing to the Supreme Judge of the world for the rectitude of our intentions, do, in the name, and by the authority of the good people of these colonies, solemnly publish and declare that these united colonies are, and of right ought to be, free and independent States; that they are absolved from all allegiance to the British crown, and that all political connection between them and the State of Great Britain is, and ought to be, totally dissolved; and that, as free and independent States, they have full power to levy war, conclude peace, contract alliances, establish commerce, and to do all other acts and things which independent States may of right do. And for the support of this Declaration, with a firm reliance on the protection of Divine Providence, we mutually pledge to each other our lives, our fortunes and our sacred honor.

Decoration Day. See MEMORIAL DAY.

Decree, a formal order issued by a person or body of men empowered with sufficient authority, determining what is to

be done in a certain matter; more commonly, a decision, sentence, order or judgment issued by a court or magistrate, from whose mandate, however, there is usually the right of appeal to higher judicial authority. See APPEAL.

Deed. A deed is a written document proclaiming an absolute, unconditional conveyance of lands, tenements or hereditaments, for a good or valuable consideration, from one person, the lawful owner, to a purchaser called the grantee, who by the transfer holds the property thereafter in his own right, subject to no superior and to no conditions. There are two common forms of deeds, the warranty deed and the quitclaim deed. In the former, the grantor guarantees to the purchaser "that at the time of the ensealing and delivery of these presents he is lawful owner . . . . . of the premises above conveyed, free and clear of all encumbrances, and that the premises thus conveyed to the quiet and peaceable possession of the said party of the second part, his heirs and assigns, he will forever warrant and defend against any person whomsoever claiming the same or any part thereof." It is evident, therefore, that the person receiving a warranty deed is given a guarantee that the seller of the property assumes the burden of defending its title if said title is ever put in question. On the other hand, a quitclaim deed conveys no absolute defense of title. The seller proclaims himself owner of the property, to his best knowledge, and the deed conveys the grantor's title, be it good or bad, but it does not specifically declare that he has a good and proper title. The quitclaim deed, therefore, is simply a transfer of such claims as the grantor holds, and the grantee himself assumes the whole burden of protecting the title to his new possessions. The following facts are essential to the validity of a deed:

A deed must be written, and sealed, signed and witnessed in accordance with the provisions of the law of the State in which it is made, and must conform to the law of the place where the property is situated.

To legally deed property there must be a consideration; the grantor, or maker of the deed, must be the rightful owner, and both parties to the contract must be of legal age and of sound mind.

If the grantor has a wife her signature and acknowledgment are necessary, even in the absence of a statute to that effect. In the case of a deed to a homestead the wife's failure to acknowledge makes the deed void, while, in any case, her failure to acknowledge entitles her, after her husband's death, to claim the use of one-third of the property during her life. A wife's acknowledgment must also be of her own free will, and the officer before whom the document is acknowledged must certify to this fact.

A deed made by several grantors should be acknowledged by each party to the contract; when made by an attorney the power of attorney should be acknowledged by the principal.

A deed to be effectual as to third parties must be recorded upon acknowledgment of its execution.

When a State or Territory prescribes a certain form to be followed in the acknowledgment of deeds it is advisable to comply with the provisions of the statutes.

De Facto, a Latin term, meaning actually or really existing, or done. A *de facto* government is one existing and recognized as performing the functions of government, regardless of its legal right to existence. The word is the opposite of *de jure,* which see.

Deficiency Bill, a bill introduced into Congress or a State Legislature to provide for necessary additional expenditures of money for certain specified objects, the original appropriations for which were insufficient, or for which no appropriation was made in the original bill. See APPROPRIATIONS.

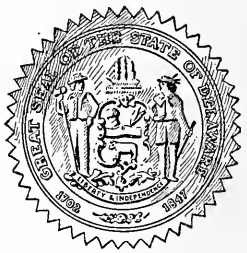
De Jure, a Latin term, meaning rightfully or legally, or by right of law and legal precedence. A *de jure* government is one organized strictly in conformity with law, whose operations are sanctioned by the legality of its organization. The word is the opposite of *de facto,* which see.

Delaware, one of the original Thirteen Colonies, and one of the first thirteen States of the Union. It was settled by the Dutch in 1631, to which were added Swedish settlements by 1638; in 1664 it fell into the hands of the English, by whom it was owned until declared an independent State in 1776. Delaware's northern boundary is circular in form, accounted for as follows:

After William Penn had obtained his grant to Pennsylvania, he was desirous of owning the land on the west bank of the Delaware to the sea.

He therefore procured from the Duke of York a release of his title to New Castle and twelve miles around it, and to the land between that tract and the sea. A line that was the arc of a circle, with a radius of twelve miles, was then projected from New Castle as a center. When the "three lower counties on the Delaware" became a State, this circular boundary was retained.

Government. Delaware has a new Constitution, adopted in 1897. It is difficult to amend. A proposed amendment must be voted for by two-thirds of each House, entered upon the legislative records, and published in each county of the State. The Legislature which meets two years thereafter votes again upon the proposition, and if this time it receives a two-thirds' vote, the amendment is adopted. The Executive Department consists of the Governor, Lieutenant-Governor, Attorney-General, and Insurance Commissioner, elected by the people for four years, and a Secretary of State, who is appointed by the Governor for two years. The Governor is empowered to remove any officer except the Lieutenant-Governor and members of the Legislature, when requested to do so by a two-thirds' vote of each House. The Legislative Department consists of a Senate of seventeen members elected for four years, and a House of Representatives of thirty-five members, chosen for two years. The sessions are biennial, and members receive a remuneration of five dollars per day for each day of regular sessions, for a term not exceeding sixty days; no compensation is allowed beyond the sixty-day limit. The Judicial power is vested in a Supreme Court and Courts of Chancery, General Sessions and Register's Court. The Judges of the courts below the Supreme Court are appointed by the Governor and Senate for terms of twelve years.



STATE SEAL OF DELAWARE.

Delegate. [1] The highest sense in which the word is used is in connection with a Territory's representation in the Congress of the United States. Each organized Territory is entitled to one representative in the House of Representatives,

but it has no representation in the Senate. The person serving as such representative is elected by the voters of the Territory and is given the official title of Delegate in Congress. The Delegate is given a regular seat in the House; he is clothed with power to speak on matters pertaining to his Territory, but he has no voice upon any other public questions. He has no vote, even upon matters affecting the welfare of his Territory; he is given committee assignments, in the discretion of the Speaker. His term of office is two years, the same as that of a Representative.

[2] Any person appointed and sent by another or by others, with power to act for them in any specified capacity; as, an appointee by nomination or election to represent the voters of a ward, a county or a State in a convention.

Democracy. In the strictest sense a democracy is a country governed directly by all of its citizens, who *en masse* pass all laws for their guidance and give directions for their proper enforcement. Such a Government is in every respect a "government by the people," but that condition of political control is possible only in countries of limited area, where all voters may meet together without great physical exertion. There is at present (1908) but one pure democracy in the world, the Republic of Andora, lying between France and Spain. However, in the United States the "town meeting" every year to determine township government for the ensuing twelve months is an example of pure democracy which probably will never disappear from our governmental system.

Larger political units may approach a pure democracy in their ideals, but when control no longer rests with the whole body of people in single convention assembled, but is delegated to representatives chosen by the people, such a government is variously called a representative democracy, a democratic republic or a republic.

The fundamental principle of a democracy or a republic is political and legal equality, a state of society absolutely without class distinctions made by laws or customs. A country may continue under such a government without difficulty so

long as the majority of its citizens are true to the ideals upon which it was founded. See REPUBLIC.

Democratic Donkey, a symbol used in caricatures by political opponents to represent the Democratic party. It was originated by the famous caricaturist, Thomas Nast, when in the employ of *Harper's Weekly,* before the Civil War. Democrats pictorially represent their party by the rooster. See DEMOCRATIC ROOSTER; REPUBLICAN ELEPHANT.

Democratic Party. The political organization known as the Democratic party has had an existence since the foundation of the Government, but not all the time under that name. It was at first the Republican party; then, in 1812, the Democratic-Republican; finally, in 1829, the last name was dropped. The germ of the party can be traced to the Anti-Federalists, who opposed the adoption of the Constitution, out of which temporary organization the first party to be called Republican was organized. The earliest declaration of principles of this party was in favor of the limitation of the powers of the Federal Government to those expressed in the letter of the Constitution, and also an increase in the direct influence of the people in all the affairs of government. The Democrats have always been strict constructionists, and formerly leaned strongly towards State's rights. In the early agitation on the subject of slavery they were indifferent as to the fate of any public measure affecting it, but later many leaders of the party espoused the Southern cause, clinging to it until the Civil War removed it as a political issue.

In 1801 the Democratic party carried the Presidential election, and it remained in power for twenty-four years. A split in the party in 1824 lost the nation to the Democrats—called yet the Democratic-Republican party, however—John Quincy Adams being elected as a Whig. In 1829, when the organization adopted the name by which it has since been known, Andrew Jackson led the party to victory, from which time, except the years 1840–'44 and 1848–'52, the Democrats remained in power until the election of Lincoln in 1860. The next President chosen by the partywas Grover Cleveland (1884),

who was elected for a second term (1892). Since 1892 the party has been under the dominating influence of the radical element within it, and the issues of free silver and free trade have contributed to serious defeats. The conservative element gained the ascendency in 1904 sufficiently to remove some unpopular issues from its National campaign and bring to public attention others deserving recognition. The party today is pledged to tariff reform (not necessarily to free trade), Government ownership of public utilities, anti-imperialism and to a policy of repression of the financial powers of the country whose policies it believes to be dangerous to the people. William J. Bryan suffered two defeats as the candidate of the party for the Presidential office, in 1896 and 1900. See Construction of the Constitution; Political Parties in the United States.

Democratic Republic, a country governed by representatives who receive their authority directly from the people; another term for representative democracy or republic.

Democratic-Republican Party, a political party formed from a faction of the Anti-Federalists; their theory aimed at direct popular control over the Government, the gradual extension of the right of suffrage, the limitation of the powers of the Federal Government, and strict conservation of the powers reserved to the State Governments by the Constitution. It was a party of construction, but was influential only a short time under the name it adopted. The same principles that it advocated were first advanced by what was known at the time of the adoption of the Constitution as the Republican party. The Democratic party is the logical successor of the Democratic-Republican organization. See Political Parties in the United States; Democratic Party.

Democratic Rooster, the pictorial representation of the modern Democratic party. Previous to the administration of Andrew Jackson, the party had adopted no emblem, but during his terms of office the cry, "Turn the rascals out," led to the adoption of a picture of a hickory pole to which a broom was attached. To an Indiana man named Chapman the party

owes its present emblem. Chapman was given to an undue amount of boasting. In political correspondence a friend urged the loud talker to "Crow, Chapman, crow!" and the exhortation was repeated many times, until the gentleman's fame became more than local. In the campaign of 1844 the spirit of the Chapman propensity to boast and "crow" was symbolized in the proudly-strutting fowl, and the Democratic rooster was adopted by the party as its emblem of victory.

Demonetization, an act by which the coinage of one of the metals, such as silver, is stopped, thus taking it from its position as a standard metal and reducing it to a place as secondary or subsidiary coin. For example, a country may exist for years under a coinage act which declares that both gold and silver shall be coined, and their relative values are fixed by law, as a ratio of 16 to 1. In the course of time it is decreed that gold alone shall thereafter be the single standard of value. The law passed to bring about this condition is said to demonetize silver. Before the passage of such an act, one ounce of gold was worth as much as a specified number of ounces of silver; the value of silver therefore was preserved by statute. After demonetization, silver would be worth only what it would bring in the open market; its price would be regulated solely by the law of supply and demand. See BIMETALLISM.

Denizen, a term applied in the United States to a natural born or naturalized citizen. In Great Britain a denizen is an alien who by naturalization has obtained some of the rights of a British subject; he is given the franchise, but cannot be a member of Parliament.

Department of the Navy. See NAVY, DEPARTMENT OF THE.

Deponent, any person who gives written testimony in a case, either civil or criminal, in a manner prescribed by law.

Deposition, testimony legally taken, as a result of interrogatories, and reduced to writing, later to be sworn to and used as evidence in a case before a court.

Dime, the tenth part of the dollar of United States money, so called from the French *dixieme,* meaning *tenth.* The word was first introduced into our coinage as the *disme;* it was so

spelled on some trial coins in the year 1792. In the transfer from the Spanish coinage to our present decimal system the dime took the place of the *real.* The dime is a silver coin and weighs $2\frac{1}{2}$ grams, 90 per cent of which is silver and 10 per cent alloy.

Dingley Bill. A tariff act passed in 1897 and yet remaining in effect (1908). It was named, as is customary, after the chairman of the Committee of Ways and Means of the House of Representatives, Nelson. Dingley of Maine. Every tariff bill must originate in the House of Representatives, and the task of framing it rests with the above-named committee. See WAYS AND MEANS, COMMITTEE OF.

Diplomacy is the art of conducting intercourse between nations and maintaining each in political harmony with its neighbors. The system of diplomacy is of comparatively modern origin; ancient nations did not maintain diplomatic relations with each other, but appointed special embassies whenever occasion required. During the Middle Ages the Pope was usually arbiter of disputes. Some statesmen even today declare the diplomatic establishment to be an unwarranted expense; the work it does they would have cared for through the medium of letters, telegrams and cable messages. This opinion is not shared by those closest in touch with foreign affairs in any country. See DIPLOMATIC SERVICE.

Diplomatic Service. Diplomacy may be defined as the art of managing the political intercourse between nations and adjusting their relations, through the service of representatives called Ambassadors, Envoys Extraordinary, Ministers, etc., according to their rank and authority. The principles and rules of diplomacy are embodied in customs which by common consent have now the binding force of law, and in treaties which have become a part of international law. The diplomatic relations of the United States are in charge of the Department of State [q. v.], one of the Executive divisions of the Government. The responsible head and directing force of the diplomatic branch of the Government, next to the President, is the Secretary of State.

Formerly where any nation wished to come to an understanding with another country it sent a special messenger clothed with necessary power to act—Benjamin Franklin's mission to France during the Revolutionary War is an illustration. This means of infrequent communication never proved satisfactory, and now for much more than one hundred years these representatives, as a rule, have been appointed for a term of years and have taken up their residences in the capitals of the countries to which they have been accredited.

Each nation honors in a signal manner the representatives of foreign powers accredited to it. By mutual agreement, dating back to mediaeval times, when only princes of reigning houses were dispatched on missions of diplomacy, the bearer of diplomatic credentials has been exempt from the control of the laws of the nation wherein he is to exercise his functions. This exemption is not confined to the diplomat himself, but is extended to all his suite, including not only the persons employed by him in official positions, but his wife, family, and servants, as well.

To explain this peculiar privilege it may be stated that by a fiction of international law, called the privilege of exterritoriality [q. v.], a sovereign or member of a reigning family, though temporarily in a foreign country, is considered as being on his own territory; the laws of the country visited could not, therefore, be operative against him. It was natural that in time this privilege should be extended by courtesy to any person delegated by royalty or the head of a State to undertake a diplomatic task. Today all representatives of our country abroad on diplomatic missions live under our laws while residing in a foreign land.

But although a representative is not amenable to any tribunal in the country of his temporary residence and cannot be arrested, he cannot misconduct himself with impunity. As an officer representing law and order and stable government, he must respect the laws and customs of the country of his official residence; if he violates or offends these he may be the subject of complaint to his home Government. If the com-

plaint is very serious, his recall may be demanded or the head of the offended Government may dismiss him peremptorily, and may request that he be brought to trial in his own country.

There are some other privileges which may be generally accorded to diplomatic representatives. They are permitted the free exercise of their chosen religion, a fact which may excite comment in a republic in which every man may worship as he chooses; they are exempted from taxation, are given special mail pouches and are usually allowed to import their goods without the payment of duties.

There are four grades of diplomatic representatives, as generally recognized, but with duties practically the same. Ambassadors head the list in point of power, influence and dignity; next in order are the Envoy Extraordinary and Minister Plenipotentiary, Minister Resident, and Charge d'Affaires. Each is discussed in regular alphabetical order. For commercial representatives abroad, see CONSULAR SERVICE.

Direct Tax. Nearly all revenue necessary for the support of the Government is realized from the collection of taxes, in various forms, indirectly assessed. The Constitution makes provision for laying direct taxes when such a course is deemed advisable, in Article I, Section 2, Clause 3, as follows:

"Representatives and direct taxes shall be apportioned among the several States which may be included within this Union, according to their respective numbers * * * ."

A direct tax must be apportioned equitably; it cannot be assessed against a few of a large class of citizens without including within its operation all of that class. Only five times in the history of our country has Congress been able to vote and carry through successfully an act providing for the imposition of a direct tax, and not on any of those occasions did it make a levy upon all the property of our citizens. In 1791, a direct tax of fifty cents per head was levied upon all slaves within the jurisdiction of the Federal laws. In 1813, 1815, 1816, and 1861, as war measures, when expenses of Government were extraordinary, taxes were laid for Federal purposes upon dwelling houses, lands and slaves, and apportioned

among all the States, not in proportion to the wealth of each State, but according to Constitutional provision, in proportion to population. Attempts have been made to pass laws for a tax upon all incomes over $4,000, but none was ever framed which was upheld by the Supreme Court. See TAX.

Disability of the President. By this term is meant the effect of any accident, condition, or circumstance by which the President of the United States would be unable to perform the duties pertaining to his office. Thus far in the history of the republic no President has become disqualified or has been forced during his term, or while he yet lived as President, to witness his power transferred to another. William Henry Harrison, Zachary Taylor, Abraham Lincoln, James A. Garfield, and William McKinley died in office and, according to Constitutional provision, each was succeeded in the Presidency by the Vice-President. Circumstances may arise at any time, however, when causes other than death may demand the retirement of the President and the installation of his successor. Prolonged and hopeless illness might prompt his resignation; insanity might develop and incapacitate him; he might be impeached and on trial be found guilty and removed from office. Previous to 1886, if the disability of the President had been followed by the disability of the Vice-President, his successor, the President *pro tempore* of the Senate, would become acting President, and after him, the Speaker of the House of Representatives. The Presidential Succession Law of 1886 provided a succession and removed the objections to the old law, which had been in force since 1792. See PRESIDENTIAL SUCCESSION.

Discharge from Army or Navy. An enlisted man in the military or naval department of the United States is discharged from the service on the last day of his term of enlistment, which is at the end of three years from the date of enlistment, to which must be added, however, the number of days he has been absent without leave. A soldier or sailor may be dishonorably discharged by the President or by the Secretary of the War or the Navy Department before the expiration of his

term of service, for reasons stated in the official papers whereby the discharge is made effective, or he may leave the service by the sentence of a court-martial. On a certificate of disability honorable discharge may be granted at any time. When an enlisted man is discharged he is furnished by his immediate superior officer with duplicate final statements of his accounts with the Government and a certificate of discharge signed by the commander of the military post or war vessel on which service terminated. The man's character is stated in this certificate, and if he believes the statement is unjust he has the privilege of appeal to a board of officers. See ENLISTMENT IN ARMY AND NAVY.

Disfranchise, to deprive a person by process of law of any of the rights held and exercised by citizens. Thus, a person who becomes a convict loses the right of suffrage; one who is convicted of certain crimes against the Government may be disqualified either by Constitutional provision or judicial decree as a part of a court sentence from holding thereafter any office of honor, profit or trust, either by Executive appointment or by election.

Disputed Election. See CONTESTED ELECTION.

District, a territorial division, specially set off or defined, for political or governmental purposes. The smallest political unit is the school district, embracing not more than two square miles; the largest, a United States Judicial circuit, sometimes including more than one State of the Union. A block of territory sending one Representative to Congress is a Congressional district, usually comprising from three to ten counties, but sometimes a whole State. A State Judicial district comprises those counties joined together into a Circuit, whose courts are presided over by a Circuit Judge.

In each State the Legislature may reapportion the several counties comprising the districts set off for any purpose, whenever it is necessary, in order to maintain proper division or balance of voting strength throughout the State. The spirit of the laws decrees that the various districts of a State for any purpose shall contain practically the same number of

inhabitants, and that each district shall be as compact as possible. Such a provision should prevent unfair divisions for questionable political purposes, but occasionally, especially in apportioning Congressional districts, a strongly partisan Legislature has been known to fix boundaries without regard to compactness or convenience. See GERRYMANDER.

District Court, a Federal court inferior to a United States Circuit Court, to which appeals from the District Court may be taken. See JUDICIAL SYSTEM, UNITED STATES.

District of Columbia, also known as the Federal District, is the seat of the general Government of the United States. It was provided for by acts of Congress July 16, 1790, and March 3, 1791, pursuant to Article I, Section 8, Clause 17, of the Constitution. One of the powers delegated to Congress was that it should "exercise exclusive legislation in all cases whatsoever over such district (not exceeding ten miles square) as may by cession of particular States and the acceptance by Congress, become the seat of Government of the United States."

The requisite territory was offered to Congress by Maryland in 1788, and by Virginia in 1789, the tracts being located opposite each other on the Potomac River. By proclamation of President Washington in 1791 both offers were accepted, the district being limited to the maximum size prescribed by the Constitution, 72.09 square miles being north of the river and 27.91 square miles south of it. In 1846 by an act of Congress the portion south of the Potomac was returned to the sovereignty of Virginia, inasmuch as the section north of the river was ample for all governmental purposes and more compact than a district could be which occupied both banks of the stream. The government of the District of Columbia is under the Executive control of three Commissioners, appointed by the President of the United States and confirmed by the Senate. Two of these Commissioners must be citizens of the District of at least three years' residence, and one is detailed from the engineering corps of the army. All Legislative powers are in the hands of Congress, so in effect the committees of the Senate and the House of Representatives having the

affairs of the District in their control are its real governors; the Commissioners' powers are limited.

Another plan of administration of the affairs of the District was tried in 1871, at the request of its citizens, who felt they were entitled to a degree of self-government hitherto not accorded them. The District was therefore made into a regularly organized Territory of the United States, with a Territorial form of Government. In 1874 Congress repealed these acts, owing largely to the extravagance of the officials in suggesting and pushing public improvements. It was properly decided that as the District was originally set aside solely for the seat of the Federal Government, it was the part of wisdom to vest control entirely in the hands of Congress, through which authority the Commissioners should act. Therefore, here is presented the anomoly of a considerable population having absolutely no voice in the management of affairs, as the inhabitants are disfranchised in all general elections.

Until 1890 Washington and Georgetown were recognized as separate municipalities, but since that date the identity of the latter has been merged in the former, and the City of Washington is co-extensive with the District of Columbia.

Dixie, an imaginary land and condition of life where there was naught save luxuriant enjoyment. On this inviting theme a song was written by representatives of the colored race and it sprang into such popularity among all classes that it was soon acclaimed the melody of the Southland. During the Civil War, when sentiment and sectional feeling ran high, it attained immense popularity.

The song had its origin about the year 1800. A man named Dixy owned a large tract of land and many slaves, near Manhattan, now New York City. Slave labor became unprofitable on his estate and the growth of anti-slavery sentiment made his human chattels of uncertain value. He consigned a large number of them to Southern planters, who sold them for him. In their new homes the burdens placed upon the slaves were greater than they had ever borne under their former owner, and their longing to be returned to Dixy's

took the form of a plaintive refrain. Additions to it and various changes gave the song force and dignity, and eventually Dixie came to typify the Southland to the impressionable Southern "darkey." Naturally, in its evolution the memory of its origin was quite ignored.

Dockyard, a shipyard in which are docks for the building or repairing of ships of the navy of a country. Usually a dockyard is combined with an arsenal for storing munitions of war. Dockyards in the United States are located by act of Congress and are maintained by annual appropriations. The Executive authority is vested in a naval officer who holds the position by appointment of the Secretary of the Navy.

Dollar. The dollar is the standard coin of the United States, the basis of our currency system. The first dollar we coined was adopted in 1792, and was modeled after the Spanish dollar, or "pieces of eight." Several modifications in the coinage laws reduced the dollar to its present degree of fineness, 412 grains silver, .900 fine. One-tenth of the composition is alloy [q. v.]. See COINAGE; DOLLAR SIGN.

Dollar Sign, THE. Several theories are advanced as to the derivation of the dollar sign ($). The opinion very widely accepted is that it was derived from the letters U. S., in monogram, which after the adoption of the Federal Constitution were ordered stamped on the currency of the new republic. A second theory ascribes the sign to a combination of the mark of the Roman unit, *sestertius,* the symbol of which was H. S. or I. I. S.—

"Sestertius, abbreviation of Semistertius, is a term belonging to the Roman silver coinage, in which series it was a quarter of the denarius; but the silver coins of this small size being found inconvenient, no doubt suggested the idea of coining it in copper. In this metal as in silver it represented two and a half Ases. . . in writing expressed by the symbol II. S., or H. S., both of which represents two and a half, beingII. in Roman numerals, and S., for *semis* (half); . . . all their calculations made in *sertertii.* In writing, amounts were thus expressed: II S. trecenti (300 sesterces)."

A third opinion relative to the origin of the mark is that it comes to us from the coinage of Spain. On the reverse of

the Spanish dollar is a representation of the pillars of Hercules, and around each pillar is a scroll with the inscription *plus ultra.* The device in the course of time developed into the sign which stands at present for the American as well as the Spanish dollar.

Accounts in the South in the early days of the nation were kept in dollars and reals, and as a distinguishing mark a cancelled figure of 8 used (one dollar|| 8 reals)—there were 8 Spanish reals in one dollar—or the cancellation marks placed on each side of the figure | 8 | followed by a period to denote the decimal of reals. After a time the perpendicular lines crossed the 8, and the shading of the figure was ultimately discovered to represent an S, which combined with the lines evolved the present sign.

This last explanation is the one most favorably received by patient investigators.

Doorkeeper, the official who guards the entrances to the chambers of the two Houses of Congress. The doorkeeper of the Senate is appointed by the sergeant-at-arms of that body; the doorkeeper of the House of Representatives is elected by the members of the dominant political party in the House. The doorkeeper has charge of the legislative chamber and is responsible for its contents; he must enforce the rules of his chamber regarding admission to the floor; he also superintends the document and folding rooms. The appointment of assistant doorkeepers and pages is in his hands.

Double Standard, or bimetallic standard, that monetary system whose standard of value is based upon the parity of two metals, such as gold and silver. In such a system, it is decreed by law that a certain number of ounces of silver shall be deemed of equal value with a stated number of grains of gold, and to assure the continuance of the ratio thus established, the Government would guarantee to accept in payment of debts due it either metal at the decreed ratio. The United States is not on a bimetallic basis, but adheres to a single standard. However, in 1896 a formidable minority contested a Presidential election with bimetallism as a rallying cry. It was

proposed, in the event of the success of the double-standard doctrines, to establish the parity of gold and silver at the ratio of 16 to 1 and maintain it there, regardless of the fact that at that time the commercial values of the two metals was at the ratio of 31 to 1. It was contended that a law establishing the closer ratio would increase the value of silver until the commercial ratio would equal the legal ratio. Since about 1900 the double standard of value has not entered American politics. See SINGLE STANDARD; BIMETALLISM.

Dough Face, a derisive term signifying a person who is easily swayed by unworthy motives. It was first applied to certain Northern members of Congress, during the heated discussion preceding the passage of the Missouri Compromise in 1820. John Randolph of Roanoke stigmatized eighteen Northern Representatives who deserted their colleagues and voted with Southern members on the Compromise as "Doughfaces." As the discussion of the slavery question grew more intense the term was generally applied to all Northern sympathizers who favored the principles for which the South stood, and also in the South to those Southerners who refused to subscribe to all the tenets of the slave-holding interests.

Draft, a military or naval conscription; it is resorted to by a Government to recruit its fighting forces when confronted by an enemy too numerous and powerful to be resisted successfully by its regular army or navy and such volunteers as have offered themselves. When the constituted authority fails to secure a sufficiently large offensive or defensive force by volunteer enlistment, it is evident that means to secure service must be employed or the Government may not survive. In the United States it is within the power of Congress to declare war and to raise armies; the Supreme Court has said that the latter power carries with it the necessary authority to draft men into military service.

A bill known as the "Draft of 1814" failed to become a law; this was the first effort in the United States at conscription. During the year 1863 the second attempt to pass such a law was successful. It was known as the "Conscription Law," and

provided for the enrollment of every able-bodied man between the ages of eighteen and forty-five. In default of volunteers to fill the quota demanded of each Congressional district, the deficiency was to be made up by drafts from citizens on all-inclusive poll lists. Provision was made by which a drafted man could escape service by furnishing an able-bodied and willing substitute, or by the payment to the Government of $300 in cash. Any man who refused to obey a draft summons or furnish a substitute was treated as a deserter. Several riots occurred during the enforcement of this law (see DRAFT RIOTS). The Conscription Law of 1863, amended slightly in 1864, is yet in force, but it may never be neccessary to apply it again. See CONSCRIPTION.

Draft Riots, disturbances resulting from attempts by a Government to enforce unpopular draft measures to recruit the ranks of its army. In the United States in 1863 a general draft was resorted to and on that occasion riots occurred in many parts of the country. In New York City, the most populous section of the country, it was natural to expect the most serious trouble, but the Federal authorities were scarcely prepared for the fierce resistance there offered. About the middle of July a mob defied all authority, gained control of the city hall, and it was dispersed only after four days' fighting. Many negroes were killed, a colored asylum was burned, and in all over 1,000 persons lost their lives. The city was obliged to pay more than $1,500,000 indemnity for loss of property. Pennsylvania was the next heaviest sufferer from the draft riots of that year. No other serious draft disturbances in the history of the country are recorded. Resistance to a draft levied in time of National stress is without warrant, is subversive of good government and is cowardly. It is practically treason. The first duty of a citizen is to serve his country in time of need; he owes this obligation in return for the constant protection guaranteed him under his Government. See DRAFT.

Dred Scott Case. What is known as the Dred Scott Case was a hearing and decision in the United States Supreme Court in 1855–1857, bearing on the legal status of negro slaves

who were taken by their masters from slave States into free territory. The decision materially hastened the Civil War. The history of the case, briefly stated, is as follows:

Dred Scott was a negro slave, owned by Dr. Emerson, an army officer temporarily stationed in Missouri. In 1834 Emerson removed to Illinois, where slavery was prohibited, but he carried Scott with him to his new home, claiming the right to possession of his property in whatever State he pleased to reside. Two years later he went to Minnesota, still the master of Scott, although in Minnesota slavery was prohibited by the Missouri Compromise [q. v.]. In 1838, Emerson returned to Missouri with Scott; but the negro had learned that residence in a free State had made him a free man, so in 1848, after heavy punishment by his master for a misdemeanor, he brought suit against him for assault and won his case. Emerson appealed and won, the Missouri Supreme Court asserting the white man's right to control his property and denying that Scott was a free man. The negro was then sold to a New York citizen named Sanford, against whom friends of Scott, and in his behalf, again instituted a suit to determine whether the negro was slave or free. The charge, as before, was assault. The case was decided against him and was carried on appeal to the United States Supreme Court in 1855. Here it was argued during that year and 1856, and in 1857 a decision was handed down. Scott lost every point for which he had contended. He was declared again not to be a citizen of any State, nor was he given standing in a Federal Court. He was yet a slave, a slave was only a piece of property; it was the right of every citizen to take his property wherever he desired, within the limits of the United States. The decision went still more deeply into the slavery question and declared that no negro could be a citizen of the United States, that the Missouri Compromise was unconstitutional, and that neither Congress nor any Territorial Government could prohibit slavery in the Territories. Great excitement followed the publication of the court's decision and the bitterness of the discussion on the slavery question was intensified.

Drys, a term used by anti-prohibitionists to distinguish those who are opposed to the liquor traffic. See HIGH LICENSE; LOCAL OPTION; PROHIBITION.

Duel, an encounter between two persons at enmity, fought with deadly weapons, according to an established code of honor. The origin of dueling may be traced back to the days preceding the fall of the Roman Empire, when systems of government so far fell short of equity that disputes were commonly settled by an appeal to arms.

In the United States dueling is illegal; since the Civil War all States of the Union have passed stringent laws which aim by imposing heavy penalties to abolish the practice. A very common penalty, in addition to imprisonment, is the loss to surviving participants of the right of suffrage for the remainder of their lives. In the eyes of the law even the sending of a challenge to a duel is considered a breach of the peace; the killing of an opponent gives occasion for arrest on the charge of manslaughter or murder, against not only the surviving principal, but against the seconds, or appointed attendants, as well.

Duces Tecum. See SUBPOENA.

Duress is force, actually applied, or even threatened, which causes a person to fear imprisonment or bodily harm. In the legal sense, duress compels one to do a thing he would not do voluntarily, and one so forced against his will may by action at law, if he can sustain his charges, secure relief. If a conveyance of property is executed under duress, it may be set aside by the person who executed it only in the event that the article has not passed into the hands of an innocent purchaser.

Duties. See CUSTOMS DUTIES.

E

Eagle. The ten-dollar gold piece of the United States currency system is called an eagle. There are also coined the double-eagle and the half eagle, of proportionate weight and fineness. The quarter-eagle and the gold dollar were coined also for many years, but none have come from the mints since about 1890. See COINAGE, UNITED STATES.

Education, BUREAU OF. Previous to 1867 there was no department of the Government charged with the duty of compiling statistical matter relative to the progress of education in the States and Territories. In that year a "Department of Education" was established, to the end that such information as would be of value to the cause of education might be gathered and published. The next year, however, it was decided that instead of an entire Executive department being necessary, a lesser organization would meet all requirements. Accordingly, the Department was abolished; the same act established the Bureau of Education, and it was made a division of the Department of the Interior. The head of the Bureau is the Commissioner of Education. The office was held for more than a quarter of a century by Dr. William T. Harris; the present incumbent is Dr. Elmer Ellsworth Brown.

Election, WRIT OF. See WRIT OF ELECTION.

Election Bets. A wager on the result of an election is in about one-half of the States declared an illegal act, carrying a penalty of a fine, or fine and imprisonment, or fine and loss of the right to vote at the election which gave rise to the wager. An election bet is not under the law a debt and cannot be collected if the loser resists payment.

Elections. The right of a person to cast his vote in an election is determined in each State by the Legislature thereof, with the exception that no State may include among the qualifications imposed upon voters any condition which conflicts with Article XV of the Constitution of the United States, which provides that—

Article XV. 1. The right of citizens of the United States to vote shall not be denied or abridged by the United States or by any State, on account of race, color or previous condition of servitude.

2. The Congress shall have power to enforce the provisions of this article by appropriate legislation.

The qualifications prescribed for voters naturally vary. In some States persons not fully naturalized may vote at all elections; in others women may vote for all officers, including electors of the President and Vice-President. Congress does not even direct the manner of electing its own members, except that a Senator must be elected by his State Legislature. In any State a man or woman who is qualified to vote for State Representative in his or her District is qualified to vote for Representative in Congress.

Registration. To guard the purity of the ballot, almost all States require voters to register before election boards or commissioners before they may exercise the right of suffrage. In some States a new registration is required once a year; in others, less frequently.

Primary Elections. It frequently happens that in any State or local contest a single political party may enjoy an overwhelming majority of votes; in such case a nomination is equivalent to election. To give assurance that a party will not exercise its control to elect bad men to office, and to give each voter of that party an opportunity to express his preferences for various officers before the nominating conventions are held, the device called a primary election is instituted. When a primary is held, there are thrown around it all the safeguards that protect elections; the choice of the voters at a primary determines the personnel of the party ticket. It is illegal for any man to vote at a primary if he does not expect to support the ticket then chosen on election day, and he may be punished for the act.

Who May Vote. The qualifications for voters at elections in each State, and the classes excluded from suffrage, are given under the heading Qualifications of Voters.

Elections, Contested. See Contested Elections.

Elections, PRESIDENTIAL. The machinery of elections is discussed under the headings NATIONAL CONVENTION, ELECTORAL COLLEGES and ELECTORAL SYSTEM, up to the point where the electoral votes in a Presidential election are counted in the Senate Chamber, in the presence of the Senate and the House of Representatives. The Act of February 3, 1887, as amended October 19, 1888, gives in detail the steps taken in the choice of President and Vice-President, beginning with the meeting of the electors in the various States. It follows:

SECTION 1. The electors of each State to meet and give their votes on the second Monday in January next following their appointment at such place in each State as the Legislature shall direct.

SECTION 2. That if any State shall have provided, by laws enacted prior to the day fixed for the appointment of the electors, for its final determination of any controversy or contest concerning the appointment of all or any of the electors of such State, by judicial or other methods of procedures, and such determination shall have been made at least six days before the time fixed for the meeting of the electors, such determination made pursuant to such law so existing on said day, and made at least six days prior to the said time of meeting of the electors, shall be conclusive, and shall govern in the counting of the electoral votes as provided in the Constitution, as hereinafter regulated, so far as the ascertainment of the electors appointed by such State is concerned.

SECTION 3. That it shall be the duty of the Executive of each State, as soon as practicable after the conclusion of the appointment of electors in such State, by the final ascertainment under and in pursuance of the laws of such State providing for such ascertainment, to communicate, under the seal of the State, to the Secretary of State of the U. S., a certificate of such ascertainment of the electors appointed, setting forth the names of such electors and the canvas or other ascertainment under the laws of such State of the number of votes given or cast for each person for whose appointment any and all votes have been given or cast; and it shall also thereupon be the duty of the Executive of each State to deliver to the electors of such State, on or before the day on which they are required by the preceding section to meet, the same certificate, in triplicate, under the seal of the State; and such certificate shall be enclosed and transmitted by the electors at the same time and in the same manner as is provided by law for transmitting by such electors to the seat of Government the lists of all persons voted for as President and of all persons voted for as Vice-President; and Section 136* of the Revised Statutes is hereby repealed;

*Section 136 is: "It shall be the duty of the Executive of each State to cause three lists of the names of the electors of such State to be made and certified, and to be delivered to the electors on or before the day on which they are required, by the preceding section, to meet."

and if there shall have been any final determination in a State of a controversy or contest as provided for in section two of this act, it shall be the duty of the Executive of such State, as soon as practicable after such determination, to communicate, under the seal of the State, to the Secretary of State of the U. S., a certificate of such determination, in form and manner as the same shall have been made; and the Secretary of State of the U. S., as soon as practicable after the receipt at the State Department of each of the certificates hereinbefore directed to be transmitted to the Secretary of State shall publish, in such public newspaper as he shall designate, such certificates in full; and at the first meeting of Congress thereafter he shall transmit to the two Houses of Congress copies in full of each and every such certificate so received theretofore at the State Department.

SECTION 4. That Congress shall be in session on the second Wednesday in February succeeding every meeting of the electors. The Senate and House of Representatives shall meet in the Hall of the House of Representatives at the hour of 1 o'clock in the afternoon of that day, and the President of the Senate shall be their presiding officer. Two tellers shall be previously appointed on the part of the Senate and two on the part of the House of Representatives, to whom shall be handed, as they are opened by the President of the Senate, all the certificates and papers purporting to be certificates of the electoral votes, which certificates and papers shall be opened, presented and acted upon in the alphabetical order of the States, beginning with the letter A; and said tellers, having then read the same in the presence and hearing of the two Houses, shall make a list of the votes as they shall appear from the said certificates, and the votes having been ascertained and counted in the manner and according to the rules in this act provided, the result of the same shall be delivered to the President of the Senate, who shall thereupon announce the state of the vote, which announcement shall be deemed a sufficient declaration of the persons, if any, elected President and Vice-President of the United States, and, together with a list of votes, be entered on the journals of the two Houses. Upon such reading of any such certificate or paper, the President of the Senate shall call for objections, if any. Every objection shall be made in writing, and shall state clearly and concisely, and without argument, the ground thereof, and shall be signed by at least one Senator and one member of the House of Representatives before the same shall be received. When all objections so made to any vote or paper from a State shall have been received and read, the Senate shall thereupon withdraw, and such objections shall be submitted to the Senate for its decision, and the Speaker of the House of Representatives shall, in like manner, submit such objections to the House of Representatives for its decision; and no electoral vote or votes from any State which shall have been regularly given by electors whose appointment has been lawfully certified to

according to section three of this act from which but one return has been received shall be rejected, but the two Houses concurrently may reject the vote or votes when they agree that such vote or votes have not been so regularly given by electors whose appointment has been so certified. If more than one return or paper purporting to be a return from a State shall have been received by the President of the Senate, those votes, and those only, shall be counted which shall have been regularly given by the electors who are shown by the determination mentioned in section two of this act to have been appointed, if the determination in said section provided for shall have been made, or by such successors or substitutes, in case of a vacancy in the Board of Electors so ascertained, as have been appointed to fill such vacancy in the mode provided by the laws of the State; but in case there shall arise the question which of two or more of such State authorities determining what electors have been appointed, as mentioned in section two of this act, is the lawful tribunal of such State, the votes regularly given of those electors, and those only, of such State shall be counted whose title as electors the two Houses, acting separately, shall concurrently decide is supported by the decision of such State so authorized by its laws; and in such case of more than one return or paper purporting to be a return from a State, if there shall have been no such determination of the question in the State aforesaid, then those votes, and those only, shall be counted which the two Houses shall concurrently decide were cast by lawful electors appointed in accordance with the laws of the State, unless the two Houses, acting separately, shall concurrently decide such votes not to be the lawful votes of the legally appointed electors of such State. But if the two Houses shall disagree in respect of the counting of such votes, then, and in that case, the votes of the electors whose appointments shall have been certified by the Executive of the State, under the seal thereof, shall be counted. When the two Houses have voted, they shall immediately again meet, and the presiding officer shall then announce the decision of the questions submitted. No votes or papers from any other State shall be acted upon until the objections previously made to the votes or papers from any State shall have been finally disposed of.

SECTION 5. That while the two Houses shall be in meeting as provided in this act the President of the Senate shall have power to preserve order; and no debate shall be allowed and no questions shall be put by the presiding officer except to either House on a motion to withdraw.

SECTION 6. That when the two Houses separate to decide upon an objection that may have been made to the counting of any electoral vote or votes from any State, or other question arising in the matter, each Senator and Representative may speak to such objection or question five minutes, and not more than once; but after such debate shall have

lasted two hours it shall be the duty of the presiding officer of each House to put the main question without further debate.

SECTION 7. Such joint meeting shall not be dissolved until the count of electoral votes shall be completed and the result declared; and no recess shall be taken unless a question shall have arisen in regard to counting any such votes, or otherwise under this act, in which case it shall be competent for either House, acting separately, in the manner hereinbefore provided, to direct a recess of such House not beyond the next calendar day, Sunday excepted, at the hour of 10 o'clock in the forenoon. But if the counting of the electoral votes and the declaration of the result shall not have been completed before the fifth calendar day next after such first meeting of the two Houses, no further or other recess shall be taken by either House.—[Approved February 3, 1887.]

AMENDMENT.

[Approved October 19, 1888.]

"Whenever a certificate of votes from any State has not been received at the seat of Government on the fourth Monday of the month of January in which their meeting shall have been held, the Secretary of State shall send a special messenger to the district judge in whose custody one certificate of the votes from that State has been lodged, and such judge shall forthwith transmit that list to the seat of Government."

Elective Franchise is the political right or privilege of voting for public officers in an election. The right of suffrage is guaranteed to all qualified citizens by every State Constitution. The qualifications of electors vary in the different States. In the election of officials so important as members of the House of Representatives at Washington, the same standard of eligibility is not demanded of all who vote for these men. The United States Constitution admits the right of each State to guard its elective franchise as local conditions may demand, declaring in Article I, Section 2, where the interests of the Federal Government and the State are mutual, that any man may vote for United States Representative who is eligible under his State laws to vote for State Representative. In some States a man may vote for Governor and other State officers, as well as for both State and Federal Representatives, before he is fully naturalized—after he has declared his intention of becoming a citizen of the United States. See QUALIFICATIONS OF VOTERS.

Elector. Any person legally qualified by the laws of the State to vote at an election is an elector. For the use of the word in its National sense, see ELECTORAL COLLEGES; ELECTORAL SYSTEM.

Electoral Colleges are devices through whose operation the President and Vice-President of the United States are elected to their respective offices. Common usage prescribes the use of the term in the singular number, but in every Presidential election there are as many Electoral Colleges as there are States participating in the election.

The first Tuesday after the first Monday in November of every fourth year occurs the election of electors of President and Vice-President. No person votes directly for either of these last-named officers; it is not necessary that their names appear upon the ballots. Instead, the voter casts his ballot for electors of the President and Vice-President, who, in their turn, meet and vote for these officers by name. The electors in each State have previously been nominated in State conventions to be electors; each political party puts the names of its duly nominated electors at the head of its ballot, designating them "For Electors of the President and Vice-President." In each State as many electors are chosen as that State has Senators and Representatives in Congress. A State sending twelve Representatives to Congress would therefore choose fourteen electors. By custom, each Representative district of a State is given the power to select an elector, so the electoral representation is fairly divided.

Following is the electoral vote of the States, based upon the apportionment of Representatives made by Congress under the census of 1900:

State.	Electoral vote.	State.	Electoral vote.
Alabama	11	Delaware	3
Arkansas	9	Florida	5
California	10	Georgia	13
Colorado	5	Idaho	3
Connecticut	7	Illinois	27

State.	Electoral vote.
Indiana	15
Iowa	13
Kansas	10
Kentucky	13
Louisiana	9
Maine	6
Maryland	8
Massachusetts	16
Michigan	14
Minnesota	11
Mississippi	10
Missouri	18
Montana	3
Nebraska	8
Nevada	3
New Hampshire	4
New Jersey	12
New York	39
North Carolina	12
North Dakota	4
Ohio	23
Oklahoma	7
Oregon	4
Pennsylvania	34
Rhode Island	4
South Carolina	9
South Dakota	4
Tennessee	12
Texas	18
Utah	3
Vermont	4
Virginia	12
Washington	5
West Virginia	7
Wisconsin	13
Wyoming	3
Total	483
Necessary to choice	242

In the November election, if a State goes Republican, the Republican electors are accordingly chosen. By law, these meet on the second Monday of the following January in their State capital, or other place designated by the Legislature, and proceed by ballot to vote for President and Vice-President. The same procedure is followed in every State—Democratic electors meeting in Democratic States, Republican in Republican States, etc. There is no law requiring electors to vote for any particular persons for the two high offices; each may vote for whomsoever he pleases, except as hereinafter noted. However, it is expected always that electors will vote for the same men who were placed in nomination for President and Vice-President by their party at the National convention of the preceding summer.

The Electoral College in each State makes three copies, duly certified, of the result of its balloting. One copy is filed in the office of the Secretary of State at the State capital; one is placed in the hands of the United States District Judge in

the Federal District in which the State capital is located, and the third copy is forwarded by special messenger, a member of the Electoral College, to the President of the United States Senate.

On the second Wednesday of February, nearly a month after all of the Electoral Colleges have conducted their elections, the President of the Senate, in the presence of the Senate and House of Representatives, breaks the seals upon the various reports which have reached him, and the vote of all the States for President and Vice-President is counted. Upon completion of the count the result is announced, and not until that moment is the election concluded formally and legally, although for months the result has been known, except in disputed elections. The successful candidates must secure a majority of all the electoral votes cast. If there is not a majority for any candidate, then the House of Representatives is empowered to choose a President, each whole State representation having a single vote on each ballot required; in like manner the Senate would proceed to elect the Vice-President.

It is possible under limitations prescribed by the Constitution for any State to be deprived of its vote for President and Vice-President. Both of these officers may not be chosen from the same State; if any group of electors should vote for two men from their own State, the vote would be illegal and could not be counted at Washington. See ELECTIONS, PRESIDENTIAL. For an account of the reason why the electoral system described above was adopted, see ELECTORAL SYSTEM.

Electoral Commission. The Presidential election of 1876 was claimed to have been won both by the Republicans and by the Democrats. The States of Florida, Louisiana, South Carolina and Oregon sent from their Electoral Colleges [q. v.] different sets of returns to Washington, each faction in each of the four States advancing strong claim for the legality of its report. The dispute arose over the proper election of the Electors. Without the votes of the four States the Democratic candidate, Samuel J. Tilden, lacked only one vote of the necessary majority of the electoral votes. The Republican candi-

date, Rutherford B. Hayes, needed all the twenty which were in dispute. The situation resulting was something entirely new in American government. To reach a settlement of the trouble in a manner which should be as fair and impartial as possible, Congress legislated into existence a body of fifteen men called the Electoral Commission, giving it judicial power and final authority to decide the merits of the contests. The Commission was composed of five Justices of the Supreme Court, five United States Senators and five Representatives in Congress—eight Republicans and seven Democrats.

The hearing developed that, in general, with regard to the Southern States the Democrats claimed that the returning boards of elections had fraudulently excluded enough popular votes to elect the Hayes electors, and held that such fraudulent exclusion vitiated the election. The opposition contended that the Hayes electors were legally chosen and that Congress had no authority to go back of the official returns. With regard to Oregon there was no question but that the Republican electors had received a majority of the votes, but it was shown that one of them was an appointee of the Federal Government, holding a postmaster's commission. This man resigned as postmaster, however, after the election, and was declared by the Electoral Commission to be eligible for service as an elector. The Southern contests were decided on strict party lines, and by a vote of 8 to 7 Hayes was declared entitled to the votes of the four States. The Democrats were obliged to accept the result, but have always contended that the election by right belonged to Tilden.

Electoral Count. See ELECTORAL COLLEGES; ELECTIONS, PRESIDENTIAL.

Electoral System, WHY ADOPTED. After the Constitutional Convention had decided on the nature of the Executive, they met a difficulty almost equally great in the determination of the method of his election. The debate as to who would be the best judges of the fitness of a candidate for President was long and earnest. There were two plans proposed—election directly by the people, or by a select body of men. In the

latter event either Congress should be empowered to elect, or delegates selected by the people at a general election should be given the authority.

It was very generally questioned in the Constitutional Convention whether so large and scattered a body as that which the entire people constituted could be the best judge of a candidate's qualifications; on the other hand, it was believed that the people could select men whom they knew and who could form best judgments.

It was then debated whether Congress could advantageously perform the duty. Some members of the Convention urged that a President who owed his election to Congress would be dependent upon his creators, and would very likely seek to please Congress in order to secure another election, either for himself or for another in whom he might be interested. The dangers of intrigue would be greater in a permanent body, like the Congress, than in a transient one chosen for a single purpose. The final vote on this question decided in favor of a body of special electors.

The question of the number of electors then arose. In the Articles of Confederation the States were given equal voice on all matters; this plan was opposed by the large States, quite naturally, not only with reference to electors, but in its relation to other subjects. In the new Constitution a compromise in representation of States in the general Government had been satisfactorily worked out, and the same principles were accepted to apply to the choice of electors. No one could allege that in assigning to each State as many electors as it was given Representatives and Senators there was anything unfair.

Happily it was determined that a man connected in any way with the United States Government could not serve as an Elector. His service might influence his vote. It was intended that the men selected in each State for this high and responsible task should be unprejudiced and competent, free from any suggestion of obligation.

At the time of the adoption of the Constitution the modern plan of National political conventions was not contemplated.

For many years Presidents were elected without the National convention, each elector in the Electoral Colleges being free to vote for whomsoever he pleased, bound only to favor some man of his political faith. See ELECTORAL COLLEGES; NOMINATING CONVENTIONS; ELECTION, PRESIDENTIAL.

Electoral Vote. The following table gives the electoral vote by States in the Presidential contests since 1896:

STATE.	1896.		1900.		1904.		1908.	
	McKinley, R.	Bryan, D.	McKinley, R.	Bryan, D.	Roosevelt, R.	Parker, D.	Taft, R.	Bryan, D.
Alabama		11		11		11		
Arkansas		8		8		9		
California	8	1	9		10			
Colorado		4		4	5			
Connecticut	6		6		7			
Delaware	3		3		3			
Florida		4		4		5		
Georgia		13		13		13		
Idaho		3		3	3			
Illinois	24		24		27			
Indiana	15		15		15			
Iowa	13		13		13			
Kansas		10	10		10			
Kentucky	12	1		13		13		
Louisiana		8		8		9		
Maine	6		6		6			
Maryland	8		8		1	7		
Massachusetts	15		15		16			
Michigan	14		14		14			
Minnesota	9		9		11			
Mississippi		9		9		10		
Missouri		17		17	18			
Montana		3		3	3			
Nebraska		8	8		8			
Nevada		3		3	3			
New Hampshire	4		4		4			
New Jersey	10		10		12			
New York	36		36		39			
North Carolina		11		11		12		
North Dakota	3		3		4			
Ohio	23		23		23			
Oklahoma								
Oregon	4		4		4			
Pennsylvania	32		32		34			
Rhode Island	4		4		4			
South Carolina		9		9		9		
South Dakota		4	4		4			
Tennessee		12		12		12		
Texas		15		15		18		
Utah		3	3		3			
Vermont	4		4		4			
Virginia		12		12		12		
Washington		4	4		5			
West Virginia	6		6		7			
Wisconsin	12		12		13			
Wyoming		3	3		3			
Total	271	176	292	155	336	140		

Emancipation. All Legislative acts in the United States by which slaves were liberated were called Emancipation Acts, with the exception of President Lincoln's drastic measure of 1863, to which the name "Emancipation Proclamation" [q. v.] has been given. Seven of the original States voluntarily abolished slavery early in our National history, as follows:

Vermont, by act of 1777, although it did not become a State until	1791
Massachusetts	1780
Pennsylvania	1780
New Hampshire	1783
Rhode Island	1784
Connecticut	1784

New York voted in 1799 to abolish the system gradually, but in 1827 passed an absolute emancipation act.

The remainder of the thirteen original States took no action, but permitted the institution to continue legally until the Civil War. The District of Columbia was free territory after the autumn of 1862. In the case of each new State, the question was settled by Congress by general laws or by special provision at the time of admission. See EMANCIPATION PROCLAMATION.

Emancipation Proclamation. It was no part of President Lincoln's policy upon assuming the duties of his office to interfere with the institution of slavery where it had a legal existence. This is proved in his repudiation of proclamations by Generals Fremont and Hunter, by which they sought to free the slaves of Missouri and South Carolina. Eventually the President was forced to take summary action, merely as a war measure. Even then, he delayed decisive action for one hundred days, giving the South warning of his intention if they failed to return to their allegiance. This step was taken after Congress passed a law, in July, 1862, for the suppression of slavery, one feature of which declared the absolute "freedom of slaves or rebels" under certain operations of war therein defined. The President showed himself very patient, for he hoped the better judgment among Southern statesmen would prevail to end the

great tragedy of war. In September, it having appeared that the South would ignore the July Congressional action, the President issued the following warning:

I, Abraham Lincoln, President of the United States of America, and commander-in-chief of the Army and Navy thereof, do hereby proclaim and declare that hereafter, as heretofore, the war will be prosecuted for the object of practically restoring the constitutional relation between the United States and each of the States, and the people thereof, in which States that relation is or may be suspended or disturbed.

That it is my purpose, upon the next meeting of Congress, to again recommend the adoption of a practical measure tendering pecuniary aid to the free acceptance or rejection of all slave States, so-called, the people whereof may not then be in rebellion against the United States, and which States may then have voluntarily adopted, or thereafter may voluntarily adopt, immediate or gradual abolishment of slavery within their respective limits; and that the efforts to colonize persons of African descent, with their consent, upon this continent or elsewhere, with the previously obtained consent of the governments existing there, will be continued.

That on the first day of January, in the year of our Lord one thousand eight hundred and sixty-three, all persons held as slaves within any State, or designated part of a State, the people whereof shall then be in rebellion against the United States, shall be then, thenceforward, and forever free; and the Executive Government of the United States, including the military and naval authority thereof, will recognize and maintain the freedom of such persons, and will do no act or acts to repress such persons, or any of them, in any efforts they may make for their actual freedom.

That the Executive will, on the first day of January aforesaid, by proclamation, designate the States and parts of States, if any, in which the people thereof respectively shall then be in rebellion against the United States, and the fact that any State, or the people thereof, shall on that day be in good faith represented in the Congress of the United States, by members chosen thereto at elections wherein a majority of the qualified voters of such State shall have participated, shall, in the absence of strong countervailing testimony, be deemed conclusive evidence that such State, and the people thereof, are not then in rebellion against the United States.

That attention is hereby called to an act of Congress entitled "An Act to make an additional Article of War," approved March 13, 1862, and which act is in the words and figures following:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That hereafter the following shall be promulgated as an additional article of war for the government of the army of the United States, and shall be obeyed and observed as such:

Article —. All officers or persons in the military or naval service of the United States are prohibited from employing any of the forces under

their respective commands for the purpose of returning fugitives from service or labor who may have escaped from any person to whom such service or labor is claimed to be due; and any officer who shall be found guilty by a court martial of violating this article shall be dismissed from the service.

Sec. 2. *And be it further enacted,* That this act shall take effect from and after its passage.

Also, to the ninth and tenth sections of an act entitled "An Act to Suppress Insurrection, to Punish Treason and Rebellion, to Seize and Confiscate Property of Rebels, and for other Purposes," approved July 17, 1862, and which sections are in the words and figures following:

Sec. 9. *And be it further enacted,* That all slaves of persons who shall hereafter be engaged in rebellion against the Government of the United States, or who shall in any way give aid or comfort thereto, escaping from such persons and taking refuge within the lines of the army; and all slaves captured from such persons, or deserted by them and coming under the control of the Government of the United States; and all slaves of such persons found on (or) being within any place occupied by rebel forces and afterward occupied by the forces of the United States, shall be deemed captives of war, and shall be forever free of their servitude, and not again held as slaves

Sec. 10. *And be it further enacted,* That no slave escaping into any State, Territory, or the District of Columbia, from any other State, shall be delivered up, or in any way impeded or hindered of his liberty, except for crime, or some offence against the laws, unless the person claiming said fugitive shall first make an oath that the person to whom the labor or service of such fugitive is alleged to be due is his lawful owner, and has not borne arms against the United States in the present rebellion, nor in any way given aid and comfort thereto; and no persons engaged in the military or naval service of the United States shall, under any pretence whatever, assume to decide on the validity of the claim of any person to the service or labor of any other person, or surrender up any such person to the claimant, on pain of being dismissed from the service.

And I do hereby enjoin upon and order all persons engaged in the military and naval service of the United States to observe, obey, and enforce, within their respective spheres of service, the act and sections above recited.

And the Executive will in due time recommend that all citizens of the United States who shall have remained loyal thereto throughout the rebellion shall (upon the restoration of the constitutional relation between the United States and their respective States and people, if that relation shall have been suspended or disturbed) be compensated for all losses by acts of the United States, including the loss of slaves.

In witness whereof I have hereunto set my hand and caused the seal of the United States to be affixed.

Done at the city of Washington, this twenty-second day of September, in the year of our Lord one thousand eight hundred and sixty-two, and of the Independence of the United States the eighty-seventh.

By the President:

ABRAHAM LINCOLN.

WILLIAM H. SEWARD, *Secretary of State.*

This warning was unheeded, and, true to the threat contained in it, the Executive, on the day named, issued the famous Emancipation Proclamation. It appears below in full:

Whereas, On the 22d day of September, in the year of our Lord one thousand eight hundred and sixty-two, a proclamation was issued by the President of the United States, containing, among other things, the following, to wit:

"That on the first day of January, in the year of our Lord one thousand eight hundred and sixty-three, all persons held as slaves within any State or designated part of a State, the people whereof shall then be in rebellion against the United States, shall be then, thenceforward, and forever free; and the Executive Government of the United States, including the military and naval authorities thereof, will recognize and maintain the freedom of such persons, and will do no act or acts to repress such persons, or any of them, in any efforts they may make for their actual freedom.

"That the Executive will, on the first day of January aforesaid, by proclamation, designate the States and parts of States, if any, in which the people thereof, respectively, shall then be in rebellion against the United States; and the fact that any State, or the people thereof, shall on that day be in good faith represented in the Congress of the United States by members chosen thereto at elections wherein a majority of the qualified voters of such States shall have participated, shall, in the absence of strong countervailing testimony, be deemed conclusive evidence that such State, and the people thereof, are not then in rebellion against the United States."

Now, therefore, I, Abraham Lincoln, President of the United States, by virtue of the power in me vested as Commander-in-chief of the Army and Navy of the United States in time of actual armed rebellion against the authority and Government of the United States, and as a fit and necessary war measure for suppressing said rebellion, do, on this first day of January, in the year of our Lord one thousand eight hundred and sixty-three, and in accordance with my purpose so to do, publicly proclaimed for the full period of one hundred days from the day first above mentioned, order and designate, as the States and parts of States wherein the people thereof, respectively, are this day in rebellion against the United States, the following, to wit:

Arkansas, Texas, Louisiana (except the parishes of St. Bernard, Plaquemines, Jefferson, St. John, St. Charles, St. James, Ascension, Assumption, Terre Bonne, Lafourche, Ste. Marie, St. Martin, and Orleans, including the city of New Orleans), Mississippi, Alabama, Florida, Georgia, South Carolina, North Carolina, and Virginia (except the forty-eight counties designated as West Virginia, and also the counties of Berkeley. Accomac, Northampton, Elizabeth City, York, Princess Anne and Norfolk, including the cities of Norfolk and Portsmouth), and which excepted parts are, for the present, left precisely as if this proclamation were not issued.

And by virtue of the power and for the purpose aforesaid, I do order and declare that all persons held as slaves within said designated States and parts of States are, and henceforward shall be, free; and that the Executive Government of the United States, including the military and naval authorities thereof, will recognize and maintain the freedom of said persons.

And I hereby enjoin upon the people so declared to be free to abstain from all violence, unless in necessary self-defence; and I recommend to them that, in all cases when allowed, they labor faithfully for reasonable wages.

And I further declare and make known that such persons, of suitable condition, will be received into the armed service of the United States, to garrison forts, positions, stations, and other places, and to man vessels of all sorts in said service.

And upon this act, sincerely believed to be an act of justice, warranted by the Constitution, upon military necessity, I invoke the considerate judgment of mankind, and the gracious favor of Almighty God.

In testimony whereof I have hereunto set my name, and caused the seal of the United States to be affixed.

Done at the City of Washington, this first day of January,
[L.S.] in the year of our Lord one thousand eight hundred and sixty-three, and of the Independence of the United States the eighty-seventh.

ABRAHAM LINCOLN.

By the President:

WILLIAM H. SEWARD, *Secretary of State.*

See, also, PROCLAMATION OF AMNESTY, under AMNESTY, PROCLAMATION OF, issued just a few days before the publication of the Proclamation of Emancipation.

Embargo. An embargo is a legislative act prohibiting the departure of ships or merchandise for foreign parts. The causes giving rise to such drastic measures may be to deprive other nations of commodities, or as a measure which would

bring about the seizure of foreign ships in local ports, or to obtain ships in time of emergency for Government use. Twice during the history of the United States embargo acts have been enforced temporarily in the face of strong opposition, in 1807 and 1812. For particulars, consult any good United States history. See NON-INTERCOURSE ACT.

Embassador. This is another form of the word ambassador [q. v.].

Embezzlement is the fraudulent removal of personal property by a person to whom it has been entrusted, and his appropriation of it to his own use. The provisions of common law are not defined with sufficient clearness to cover all forms of misappropriation of property, and new statutes have from time to time been enacted creating new criminal offenses. Thus, simply taking an article belonging to another with whom the culprit has no business relations is larceny; an embezzlement is in substance a larceny, aggravated by being the violation of a trust or contract. Before a charge of embezzlement can be laid against a person, it must appear that he has appropriated funds or merchantable goods which were in his care. See LARCENY.

Emigrant. A person removing from one part of a country to another part of the same country for the purpose of taking up a permanent residence there, is an emigrant. This word and the word immigrant are often used interchangeably, but they are not synonymous, in the strictest sense. See IMMIGRANT.

Eminent Domain, the right possessed by a Government to take private property for public purposes. Consideration of public welfare govern the exercise of this right, which may, for example, be properly used in procuring land for the construction of railroads, waterways and other public utilities. The Fifth Amendment to the Constitution provides that just compensation shall be made to those from whom property is thus taken. If the agents of the Government or corporation desiring to purchase property cannot agree with the owner on the question of compensation, then an impartial committee or a jury in

court determines the amount to be paid. Such a case at law is called a condemnation suit.

Enacting Clause, a clause in a bill or act containing legislative sanction. The enacting words follow the title and precede the enumeration of the provisions of the bill. State Constitutions and the charters of cities and villages usually prescribe the form of the enacting clause. The Michigan State Constitution, for example, says in Article IV, Section 48: "The form of all the laws shall be, *The People of the State of Michigan enact.*" A very common form is, "*Be it enacted,*" etc. The enacting clause is not a detail of little importance, but is the part of the act which gives it vitality. An illustration may be given: The charter of the village of Saybrook provides that "The style of all ordinances of this village shall be, '*The common council of the village of Saybrook ordains.*'" An ordinance governing ball-playing was properly passed but was incorrectly copied for publication by the village clerk. The published copy read, *The common council of the village of Saybrook enacts.* The law was thus invalidated and other publications were required. Very frequently in legislative bodies some member who desires to defeat a bill will move to strike out its enacting clause. If he can induce a majority of the members to follow his leadership the bill, so amended, fails to become effective. (See Act.)

Enlistment in Army and Navy. All persons applying for enlistment in the United States army must not be less than 18 nor more than 35 years of age. They must also be of good moral character, of temperate habits, and be able to pass the necessary examination to show that they can speak, read and write the English language, and are able-bodied and free from diseases. Persons who are under 18 years of age, and who can meet all other requirements of the service are accepted for enlistment if they can produce the written consent of parent or guardian. The term of enlistment is for five years. Height and weight requirements are as follows: For infantry and coast artillery, height not less than 5 feet 4 inches, weight not less than 120 pounds, and not more than 190 pounds. For

cavalry and field artillery, the height must be over 5 feet 4 inches, and under 5 feet 10 inches, while the weight must not exceed 165 pounds.

Applicants for enlistment in the United States navy must be over 18 years of age, of American citizenship, and capable of reading and writing the English language. The term of enlistment is for four years, but no person will be accepted until he has first passed the medical examination which is prescribed by the regulations. No minor (under the age of 18 years) will be accepted without the consent of parent or guardian, and any minor claiming to be more than 18 years of age in order to secure enlistment is liable to punishment. The height and weight requirements for those who would enlist in the navy are not as strict as in the army. See DISCHARGE FROM ARMY AND NAVY.

Ensign (a flag). The National flag which is displayed by a vessel at her flagstaff is an ensign. Some nations have adopted one design of flag for its war vessels, another for merchant vessels, etc. The United States authorizes only the National flag in this connection. Special officers' flags in the naval service are not ensigns.

Ensign (a person). The lowest grade of commissioned officer in the United States navy and in the navies of certain foreign countries is called an Ensign. In rank he compares with the Second-Lieutenant of the army. After a cadet graduates at the Annapolis Naval Academy, he is a midshipman [q. v.], and as such serves two years at sea. If then found competent, he is given his commission as Ensign. For three years the grade is unchanged, when, if of good record, an advance is made to the title of Lieutenant of the junior grade. The pay of an Ensign is $1400 per annum.

Enumeration. The name in the Constitution for the word census [q. v.].

Envoy Extraordinary, one of the grades of diplomats in the foreign service of a country. The full title is "Envoy Extraordinary and Minister Plenipotentiary." This official ranks in dignity between Ambassador and Minister Resident.

The United States sends about thirty Envoys Extraordinary and Ministers Plenipotentiary to foreign Governments. In a few cases, one man is accredited to two or more small nations. The salaries range from $10,000 to $12,000. The appointment of envoys of the United States is by the President, subject to confirmation by the Senate; the commission is for four years. See FOREIGN SERVICE.

E Pluribus Unum. The Latin phrase *E Pluribus Unum* (out of many, one) is the motto of the United States. Its selection for this purpose was due, without doubt, to its introduction on a design submitted for the Great Seal of the United States in August, 1776, by a committee composed of Benjamin Franklin, John Adams and Thomas Jefferson. This motto on United States coins was never authorized by law. The mint was established in 1792, but the act in none of its provisions gave authority for the use of the phrase. Its use was discontinued on all coins from 1837, until the standard silver dollar was first coined. At various times it has been used, then temporarily discontinued. The varying changes are due to the fancy of the Treasury officials, who authorize designs for all National currency.

Equality of the States. In the organization of the Federal Government, greatest care was taken to insure equal justice in the administration of affairs to all States, large and small. While in the House of Representatives the larger States were given greater power than smaller ones, this was deemed a matter of equity, as Representatives were carefully apportioned according to population, 10,000 people in any one State having no greater representation than the same number in another State. However, to conciliate many who professed to see danger in a House so composed, it was decided that in the Senate there should be equal representation for all States. This decision favored the smaller States as against the larger, thus generously balancing the scale.

Naturally, many legislative and judicial acts of one State affect in some ways and at certain times citizens of other States. The Constitution decrees that "full faith and credit shall be

given in each State to the public acts, records and judicial proceedings of every other State." No State can refuse to recognize as legal any official act of any other State which is in conformity with its Constitution.

Equal Rights Party. This was a faction of the Democratic organization, which in 1835 broke away from the main party on the issue of opposition to banking institutions and monopolies of all kinds. It never rose to prominence, although in 1836 a Presidential ticket was nominated.

In 1884 another party called by the same name was organized by Mrs. Belva A. Lockwood, a lawyer, her platform advocating woman suffrage [q. v.]. It did not long survive.

Equity is simple, natural justice—the establishment of right between contending parties. It is a branch of remedial justice intended to afford relief to suitors in courts of equity. The difference between the practice and remedial justice of a court of common law and that of a court of equity is marked and material. That of the court of common law is limited strictly by the established principles of law. A court of equity conducts cases on a broader basis, its processes admitting the court to do equitable justice to contending parties, its procedure not being laid down step by step by special statute made and provided. In many such cases no definite remedy or law exists. Whatever seems right in the opinion of the court as between the parties becomes the verdict, and the decision may be reached after investigation in any manner suggested by the court.

In most States all judges of courts of record are authorized to hear cases of all kinds; in a few States there are special courts in which only cases in equity are heard.

Era of Good Feeling. The period of five or six years beginning with 1817 was so called, because of the general satisfaction throughout the United States with political conditions. The Federal party was practically dead; the administration of President Monroe was conciliatory towards its enemies in politics, and the latter were so well satisfied that as a compliment to the party in power, they called themselves Federal-Republicans. At Monroe's second election in 1821 he received all

except one electoral vote. His choice would have been unanimous, had not one elector refused to honor any other man with the unanimity that had characterized the election of George Washington. Following the elevation of John Quincy Adams to the Presidency in 1826, factional differences again developed opposition parties.

Escheat, the reversion of lands to the Government in case of the death of the owner without legal heirs or other persons to whom the property is willed. Escheat of lands may be regarded as merely falling back into the common ownership of the State from which they were originally derived.

Excise, an inland tax levied upon the production or sale of certain commodities, for the double purpose of support of the Government and (in some cases) regulation. In levying excises, as a rule, those articles are selected whose consumption is considered injurious to the people, or at least quite unnecessary to their welfare, such as intoxicating liquors and tobacco in their varying forms. The levy of a tax upon such commodities arms the Government with police power to supervise the trade in them, to some extent. See IMPOST.

Execution. The word, in government and law, is used in a double sense, although both meanings have a common origin. An execution is the final writ or process of a court by which its decree or judgment is enforced. It may be directed against the body of a party to the action, or against real or personal property. The particular forms in which these writs are drawn vary in different States, but the effects are similar.

In criminal law, execution is not only the court's decree of death upon the accused, but, more popularly, the name given to the means by which the guilty person's life is taken, whether by hanging, electrocution, the garotte or shooting. Whenever any person is condemned to suffer death by hanging, for any crime of which he shall have been convicted, the punishment is generally inflicted within the walls or yard of the jail of the county in which he is convicted; and the Sheriff or Coroner of the said county attends such execution, to which he invites the presence of a physician, the Prosecuting Attorney of the county,

and twelve reputable citizens, selected by himself; and the Sheriff, at the request of the criminal, permits such ministers of the gospel, not exceeding two, as he may name, and any of his immediate relatives, to attend and be present at the execution, together with such officers of the prison, and such of the Sheriff's deputies as the Sheriff or Coroner, in his discretion, may think it expedient to have present. No person under age is permitted, on any account, to witness an execution.

Executive, one who executes or performs certain duties prescribed by competent authority. The Executive authority of the nation is the President, although the heads of various departments in the Government assume Executive functions, subject always to the will of the Chief Executive. To properly execute and enforce the laws and take such action in all cases as shall render enforcement possible is the President's paramount duty. In the accomplishment of this task he appoints thousands of officials who attend to the details of the Executive Department, not only in the nation, but wherever our interests are affected throughout the world. To arm him with power to enforce his authority, the Constitution makes the President the commander-in-chief of the army and navy.

In a State Government, the Executive authority is not vested in one person. The Governor and all other State officers chosen at a regular election share the duties of executing the laws, although the heaviest burden falls always upon the Governor. Other State officers have prescribed duties which they must perform, regardless of the pleasure or displeasure of the Governor. See EXECUTIVE DEPARTMENTS; PRESIDENT OF THE UNITED STATES.

Executive Departments. Under the Constitution of the United States, the Executive power is vested in a single officer, the President. Full responsibility for the proper execution of all laws is placed upon him. The Constitution contemplated heads of departments who should be subject to the President, but these were not enumerated in that document; the number was left to the judgment of Congress. There are now nine of these Executive departments, those of State, Treasury, War,

Justice, Postoffice, Navy, Interior, Agriculture, and Commerce and Labor. These nine heads of departments together form the advisory board of the President, called the Cabinet. Most of the departments, for convenience in carrying on the vast business of the Government, are divided into bureaus. See descriptions of the various departments, in alphabetical order; also, CABINET OF THE PRESIDENT; PRESIDENTIAL SUCCESSION.

Executive Mansion, the official residence of the President of the United States and the seat of the Executive Department of the Federal Government. For a number of years previous to 1903, the needs of the Department severely taxed the capacity of the building and the President's private apartments were inadequate to his needs. In the year named, important additions to the building at each end provided much additional space. In the course of time it is expected that a new Executive Mansion will be provided for the use of the President and his family, giving the latter a privacy they cannot now enjoy. See WHITE HOUSE.

Executive Session. The term is applied to secret sessions of the Senate of the United States, held at frequent intervals for the consideration of matters which it would be contrary to public policy to disclose in detail in open session. To exclude the public from any session of the Senate at any stage of its proceedings, it is only necessary to secure an affirmative majority vote on some Senator's formal motion to retire into secret session for the discussion of executive business.

There are many matters vital to the welfare of the country that the Senate is called upon to decide, and frequently the open discussion of these would cause great embarrassment to the Government or to men whose personality is involved. For instance, the Senate must approve all treaties made by the Executive; discussion of these is inevitable, and in the heat of debate there might be statements made which, if published, would precipitate crises in more than one foreign capital. The Senate also confirms Presidential appointments. The discussion of the fitness of a man for a place of importance is naturally less embarrassing for all concerned if it be held behind closed

doors. No account of what occurs in such a session is supposed to reach the public.

In the early days of the republic, all sessions of the Senate were private, and only general information, judiciously selected for publication, was given to the public. This condition prevailed only about ten years, because considered un-American. To this old rule of the Senate we trace the present executive session; the Senate never has deemed it wise entirely to abandon its early prerogative.

Executor, a person appointed by a Probate Court to carry out the provisions of the will of a deceased person. The desire of the deceased, expressed before death, as to an executor, is usually given precedence, but the court may appoint another person, if such action is considered to be best for the interests of the various persons whose interests are involved.

The duties of an executor are to probate the will, after duly qualifying for his position; to take possession of the testator's property and to file an inventory thereof with the court under whose authority he acts; to pay all just debts against the estate and to collect such sums as may be due it. If the debts against the estate are large, the court may consent to the sale of real estate or other property sufficient to pay them. The executor must turn over to the various heirs such amounts as is their due after all general claims are settled, and, lastly, must render a strict account of his acts to the court. If the estate has been properly disposed of, the executor is given a fee for his services, which sum is named by the court, and discharged from further responsibility. Any person may legally refuse to qualify as executor. See WILL.

Executrix. A female executor [q. v.].

Exemptions. It is in accord with public policy that the citizens of a State may own certain property which shall not be subject to taxation. If taxation extended to the smallest detail of personal property, a tax regularly collected might become, essentially, confiscation. State laws are not uniform on the subject, except that in all States the property of the Federal Government and of a State or county is always exempt.

The following compilation of exemptions for all the States was correct to January 1, 1908. Changes are seldom made:

Alabama.—Household furniture up to $150, books, maps, charts, etc., except professional libraries, tools of trade up to $25, certain farm products, all school and church property.

Alaska.—Same as Oregon.

Arizona.—Churches, cemeteries, charitable institutions, schools, and libraries; properties of widows and orphans up to $1,000 for a family, where total assessment does not exceed $2,000.

Arkansas.—School and church property in actual use, property used exclusively for public or charitable purposes.

California.—Growing crops, school and church property.

Colorado.—Real estate of schools and churches in actual use, public libraries.

Connecticut.—Household furniture up to $500, property of honorably discharged soldiers and sailors up to $1,000, tools of trade up to $200, school and church property, parsonages up to $500, public libraries, private libraries up to $200, certain farm products.

Delaware.—Household furniture, books, maps, charts, etc., belonging to churches or charitable institutions, and all professional books, tools of mechanics or manufacturers in actual use, stock of manufactories on hand and imported merchandise, products of farms, vessels trading from ports of the State, all school and church property.

Florida.—Household property of widows with dependent families and cripples unable to perform manual labor up to $400, all public libraries, church and school property.

Georgia.—Public libraries, church and school property.

Idaho.—Household property up to $200, tools of trade, growing crops, books, school property, church property in actual use and not rented.

Illinois.—Church property in actual use, property of agricultural societies United States public buildings, cemeteries, and certain other public property.

Indiana.—Public libraries, school property (with land not to exceed 320 acres), church property in actual use.

Iowa.—Kitchen furniture and bedding, public libraries, private libraries up to $300, tools of trade up to $300, certain farm products, school property including residences of teachers and land up to 640 acres, church property in actual use.

Kansas.—Household furniture up to $200 for each family, private libraries up to $50 and all public libraries, sugar manufactories, school buildings including land not to exceed 5 acres, church property in actual use including land not exceeding 10 acres.

Kentucky.—Articles manufactured in family for family use, public libraries, certain farm products, all church and school property.

Louisiana.—Household furniture up to $500, public libraries, school and church property, and until 1899 certain specific manufacturing property.

Maine.—Household furniture up to $200 for each family, libraries for benevolent or educational institutions, a mechanic's tools necessary for his business, certain farm products, vessels being constructed or repaired, school property, church property in use and parsonages up to $6,000 each.

Maryland.—Libraries of charitable or educational institutions, tools of mechanics or manufacturers' use by hand, all unsold farm products, school and church. property.

Massachusetts.—Household furniture up to $1,000, all farming tools, mechanics' tools up to $300, public libraries, vessels engaged in foreign trade, school property, church property in actual use.

Michigan.—Household furniture, public libraries, private libraries up to $150, $200 of personal property besides special exemptions, church property in actual use and school property.

Minnesota.—Each taxpayer entitled to exemption on $100 personal property selected by himself, public libraries, church and school property.

Mississippi.—Household furniture up to $250, certain farm products, tools of trade, cemeteries, school and church property, and until 1900 certain specified manufactories.

Missouri.—Cemeteries, church property, school property including land not to exceed one acre in the city and five acres in the country.

Montana.—Books of educational institutions, school property and church property in actual use.

Nebraska.—Libraries of schools and charitable institutions, school and church property in actual use.

Nevada.—Household furniture of widows and orphans, property of educational institutions established by State laws, church property up to $5,000.

New Hampshire.—Certain farm products, school and church property.

New Jersey.—Household furniture of firemen, soldiers and sailors up to $500, libraries of educational institutions, school and church property.

New Mexico.—Public libraries, school and church property, mines and mining claims for ten years from date of location, irrigating ditches, canals and flumes, cemeteries.

New York.—Buildings erected for use of college, incorporated academy or other seminary of learning; buildings for public worship, school houses, real and personal property of public libraries; all stocks

owned by State, or literary or charitable institutions; personal estate of incorporate company not made liable to taxation; personal property and real estate of clergymen up to $1,500; there are also many special exemptions.

North Carolina.—Each taxpayer entitled to $25 exemption on personal property of his own selection, public libraries, property used exclusively for educational purposes, church property in actual use.

North Dakota.—Books, maps, etc., church and school property.

Ohio.—Personal property up to $50, libraries of public institutions, church and school property, cemeteries.

Oklahoma.—No laws yet on the subject (1908).

Oregon.—Household furniture up to $300, books, maps, etc., church and school property.

Pennsylvania.—Household furniture, books, maps, etc., tools of trade, products of manufactories, all products of farms except horses and cattle over four years old, water craft, property of all free schools, church property in actual use.

Rhode Island.—School property and endowments, buildings and personal estates of incorporated charitable institutions, church buildings in use, and ground not to exceed 1 acre.

South Carolina.—Household furniture up to $100, all necessary school and church buildings and grounds not leased.

South Dakota.—Household furniture up to $25; all books, etc., belonging to charitable, religious, or educational societies, school property, church buildings in actual use, and parsonages.

Tennessee.—Personal property to the value of $1,000, articles manufactured from the products of the State in the hands of the manufacturers, all growing crops and unsold farm products, school and church property.

Texas.—Household furniture up to $250, books, maps, etc., school and church property.

Vermont.—Household furniture up to $500, libraries, tools of mechanics and farmers, machinery of manufactories, hay and grain sufficient to winter stock, school and church property.

Virginia.—Public libraries and libraries of ministers, all farm products in hand of producer, church and school property.

Washington.—Each taxable entitled to $300 exemption from total valuation, free and school libraries, church property up to $5,000, public schools, cemeteries, fire engines.

West Virginia.—Public and family libraries, unsold products of preceding year of manufactories and farms, colleges, academies, free schools, church property in use, parsonages and furniture.

Wisconsin.—Kitchen furniture, all libraries, growing crops, school property with land not exceeding 40 acres, church property in actual use.

Wyoming.—Public libraries, church and school property.

Exequatur, a Latin word, meaning "Let him perform." In international law the term is applied to the official warrant given to a Consul or Consul-General by the Government to which he is sent. As soon as a new appointee of the above rank reaches the capital of the country to which he has been appointed, he presents his credentials; if these are found satisfactory and the new official is not *persona non grata* [q. v.] he is given his exequatur.

Ex Officio is a term borrowed from the Latin, meaning "by virtue of," or "because of position." A mayor may be a member of a certain committee in municipal affairs because his knowledge of matters will be valuable; he is not regarded, however, as a working member of that committee, but rather as an *ex officio* member, and as such he has no vote. Many officers are *ex officio* members of various executive committees.

Expatriation, the act of banishment, or the state of exile or special alienation from one's native land, for whatever cause, whether political exile or voluntary emigration. In the United States expatriation for political reasons is foreign to the spirit of our institutions, but the right to renounce the privilege and liabilities of citizenship has always been upheld by us. In the early days of the republic, no other nation recognized the right of a citizen or subject to forswear allegiance to his country and become a citizen or subject of another country. We fought one war partly to vindicate this right.

Curiously enough, while we welcome to our citizenship people of all nations, the right of voluntary renunciation of allegiance to the United States by one of our own citizens was unsettled, so far as legislation was concerned, until 1868. In that year Congress asserted that expatriation "is a natural and inherent right of all people." In this declaration, however, it merely gave official approval to the uniform decisions of our Department of State for many years. All leading nations now recognize the right, but many were long in giving legal sanction to it. See NATURALIZATION; OATH OF ALLEGIANCE.

Export. It is in accordance with public policy that any Government shall have the right to determine what goods of

foreign manufacture may or may not be received at its ports for distribution anywhere in its territory. Every nation has therefore provided legislation determining what goods it shall be legal to bring across its borders and under what conditions.

It is also within the province of a Government to decree what goods may or may not be sent out of its jurisdiction. The doctrine that a country may refuse its citizens or subjects the right to sell in foreign lands any personal property is not well understood, but the right certainly exists. There may be the best of reasons under stress of circumstances when public welfare demands that exports of certain commodities cease. For instance, in Russia, in 1905, a serious failure of crops occurred, occasioning untold suffering. It happened that wheat was scarce in many markets of the world, and the price correspondingly high; owners of wheat in Russia were able to get better prices in foreign markets than their fellow-subjects could afford to pay. The Russian Government promptly ordered wheat export to cease until home conditions were ameliorated. England once ordered exports of all foodstuffs to cease during a period of depression. There never has arisen in the United States the necessity for like action respecting any commodity. See IMPORTS; TARIFF.

Ex Post Facto Law. It is proper that any law shall not be in effect until a certain number of days after its passage; a delay in putting a statute into operation gives everybody an opportunity to become acquainted with its provisions. When public welfare demands prompt action to meet an emergency, however, a law may become effective upon the day it is passed and signed by the Executive.

In former times in European countries, mainly for questionable political reasons, a new law sometimes contained a provision that it should take effect upon a certain date prior to its passage—one month, six months, a year, possibly. Such a law was called an *ex post facto* law; the term means, "after the fact." In effect, such a statute provided that a man could be punished for an act made illegal by that statute, although the deed was not in violation of any law on the date when it

was committed. Were it possible to enact and enforce such statutes at the present time, a person would never know when he commits some lawful act today whether in a week that act might be made a crime by a new law which would date back in operation and cover that deed.

An *ex post facto* law, then, is a law which makes a deed a crime which was not a crime when it was committed. Such a law was occasionally very convenient in the days when kings ruled by might and "divine right;" political opponents could be disposed of by the application of their cases of *ex post facto* laws cunningly devised to fit particular cases. There are cases at law in every country today, in which accused persons, although guilty as charged, might be made to suffer unduly by the application of the *ex post facto* principle. One illustration may be given: On January 1st a man is arrested for burglary; the maximum penalty in the State for conviction on this charge is, say, ten years. The Legislature in March raises the penalty which may be imposed for that crime to fifteen years. The accused is tried in April, is declared guilty, and the heaviest penalty of the law is prescribed by the jury. The court may sentence the man to but ten years' imprisonment, because the law he violated provided only that maximum punishment. He could not be convicted of violating the law passed in March.

Not only does the Constitution of the United States expressly decree that no *ex post facto* law shall be passed, but in no enlightened country today is such legislation permitted.

Expounder of the Constitution. This term was applied to Daniel Webster, because of his forceful and exhaustive discussions of the Constitution.

Exterritoriality. By common consent, recognized as a polite fiction of international law, a sovereign visiting in a foreign land is not considered out of his own territory; that is, boundary lines are conveniently disregarded and admit of temporary limitless expansion. This unusual condition was brought about by the natural desire of kings and princes to travel, which pleasure was in many instances denied them because of laws which forbade them the privilege to go beyond the bounds

of their domains. The fiction by which a king was thus able to pay his respects to a brother potentate in a manner his subjects were willing to accept as legal was called "exterritoriality."

Its importance in governmental relations today lies in the broad application of the ancient principle to the cases of Ambassadors, Ministers, special Government agents, etc. Within certain limitations, today our representatives as various world's capitals are enjoying exterritorial rights. The laws of their own land are extended to cover and protect them, and by our national authority—Congress, sustained by the Supreme Court—they are considered as not being out of our country. Such a ruling is quite necessary, to protect the personal citizenship rights and political privileges of the men we send abroad to represent the Government. The Constitution decrees that no man may become President who has not "been fourteen years a resident within the United States." State Constitutions very generally provide that no man may be Governor who has not been a resident of the State for a certain number of years preceding his election. Any person with lofty political aspirations would refuse to live abroad as representative of our Government for a term of years, if such position would in any sense disqualify him as a candidate for high office. Ignoring this international understanding, it is merely a matter of justice that a man abroad on his country's business, for no matter how long or short a period, should retain every right to which his citizenship would entitle him if he remained at home. See AMBASSADOR; DIPLOMATIC SERVICE.

Extradition. The process by which one nation turns over to another a person who is fleeing from justice is called extradition. A man may commit a serious crime in any part of the United States and between its commission and discovery succeed in escaping to a foreign land. It is impossible for our authorities at their pleasure to pursue a fugitive wherever his trail leads; as soon as we cross the boundary separating our country from another, we must rely upon such friendly legal assistance as may be voluntarily offered us by the neighboring authorities.

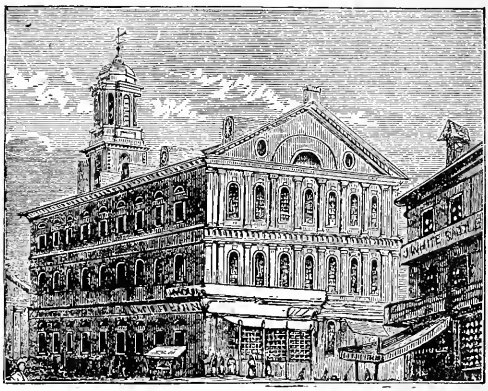
For the protection of society, it is universally recognized that criminals shall not evade punishment, if their apprehension is possible; therefore, among enlightened nations has arisen the practice of mutually surrendering such fugitives to the authorities of the complaining country. This practice in nearly all cases is founded on express treaty agreements. The United States never turns a hunted person over to another country for punishment except in strict conformity to treaty stipulations. Very frequently subjects of foreign countries flee to the United States for refuge from political persecution, and as we recognize the right of every man to hold whatever political views he pleases, the Government guarantees him protection as long as society is not threatened by his acts or utterances. If the privilege extended is abused, then our laws provide punishment, without reference to the laws or practice of any other country. Only for crimes included within the term felony may a man be extradited from the United States. See Requisition.

Extra Session, a term referring to sessions of Congress, called at unusual times by the President of the United States, for the consideration of such urgent Government business as in his opinion cannot wait the next regular session. A call for such a session may include both divisions of Congress, or the Senate or the House of Representatvies, alone, as the nature of the public business demands. Nearly always upon the inauguration of a new President, the Senate is convened in extra session to confirm appointments to the new Cabinet. The authority of the President to convene Congress in extraordinary session is contained in the Constitution, Article II, Section 3. Only about a dozen times since the founding of the Government have there been calls for special sessions of both Houses of Congress.

Extraterritoriality, another form of exterritoriality [q. v.].

F

Faneuil Hall, a public meeting-house in Boston, built in the years 1740–42 and presented to the city by Peter Faneuil, the proprietor of a large business establishment. It was almost entirely rebuilt in 1763. Just before the Revolution, and during the first months of the war, it was the scene of many political meetings, notably those of the "Sons of Liberty," and has subsequently been known as the "Cradle of Liberty." In 1805 the building was enlarged to its present dimensions, 80 by 100 ft., and a story was added. The basement is a market. In the hall above are several famous paintings, the most noted of which is Webster "Replying to Hayne," by Healy.



FANEUIL HALL, BOSTON.

Farmers' Alliance, a political party organized in the State of New York in 1873. At its inception its objects were mainly social and educational, but with the development of other organizations of the same name in various parts of the country, it soon became a political force. In 1890 it was at the height of its popularity, and in that year at its National convention it declared in its platform for the following principles of government:

[1] Laws prohibiting speculative dealings in agricultural products.

[2] Free and unlimited coinage of silver.

[3] Government control or Government ownership of all lines of transportation and communication.

[4] Prohibition of ownership of land by any except American citizens.

[5] A plan for lending money to farmers on the security of farm products.

At one time the membership of the Farmers' Alliance was nearly 1,300,000, but by 1895 it had decreased until the party organization was no longer continued; its remaining adherents joined the People's party [q. v.]. See POLITICAL PARTIES IN THE UNITED STATES.

Father Abraham, the title of affection bestowed throughout the North upon President Lincoln.

Father of His Country. In recognition of his Herculean labor in the establishment of the Government of the United States, this name has been applied to George Washington.

Father of the Constitution. Because he was the author of the resolution in the Virginia Legislature which led to the meeting of the Constitutional Convention, James Madison is honored with this title.

Federalist Papers. Eighty-five essays upholding the new Constitution, bearing the name of "Federalist Papers" appeared in the *Independent Gazetteer* of New York during six months immediately following October, 1787. They were written by James Madison, Alexander Hamilton, John Jay and others, and were so forceful that the principles promulgated in them became the rallying cry of a strong National political organization. The "Federalist Papers" are valuable interpretations of the Constitution.

Federalist Party. The debate throughout the thirteen States of the new republic on the adoption of the Constitution as drawn by the Convention of 1787 was spirited. A great deal of opposition developed; even in the Convention there had not been perfect harmony, and the delegates who opposed many features of the document carried the campaign against it into their home States. The advocates of adoption called themselves Federalists; the name was in harmony with the object they sought to attain, namely, the success of the campaign in behalf of the Constitution, which would bind the States more closely as a so-called confederation. Naturally the Federalists became a formidable political party; they won the cause for

which they argued and until 1800 held supreme political power in the United States. In 1800 they suffered defeat, Thomas Jefferson, an Anti-Federalist being elected President. By this time, however, the Constitution had proved a thoroughly satisfactory fundamental law, and the old issue between the Federalists and Anti-Federalists disappeared. New issues were the constructions to be placed upon the various parts of the Constitution (see CONSTRUCTION OF THE CONSTITUTION) and our foreign relations. In 1812 the Federalists became very unpopular on account of the second war with Great Britain. By 1816 the party had become so weak that its candidate for President received the electoral vote of but two States. Monroe, the Republican candidate, became a popular President, and in 1820 he was unanimously elected for a second term. The Federalists then disappeared as a party.

The Federalist party was the beginning of the Republican party of the present day; the Anti-Federalists, through several changes in name and policy, became the present-day Democratic party. See DEMOCRATIC PARTY; PRESIDENTS, POLITICS OF THE; REPUBLICAN PARTY.

Fees. Nearly all officials, local, State and National, are paid a stated salary for their services, which sum the Federal Constitution and nearly all State Constitutions decree shall not be increased nor diminished during their terms of office. A few local officers, however, are paid a certain fee, in lieu of a salary, for each item of public business transacted. While such a plan of remuneration is probably best where the office does but very little business, it is liable to lead to great abuses in more important offices. The fee system, therefore, is being discontinued in the best governed States and municipalities.

Fee Simple is an estate belonging to a person and his heirs, absolutely. It is a possession irrevocable and in perpetuity, where lands are willed without any limitation upon the rights of the person receiving them, to keep or dispose of as he may devise.

Fellow Citizens. Before independence was secured to the English colonists of America, the people were "subjects" of a

foreign power. The first time the term "fellow citizens" was used in America in a public manner was by Governor Patrick Henry, of Virginia, on July 1, 1776, on the occasion of his inaugural address.

Felony. A felony is an offense of a serious nature, punishable by death or long imprisonment in the State prison or other reformatory. It was punished under the old common law by forfeiture of land or goods, or both. Under the Constitution, it is not possible to extend any penalty farther than the loss of life or liberty of the person or persons involved. If less than a felony, an offense is a misdemeanor.

In feudal law, felony meant forfeiture for an offense on the part of a vassal against his superior lord that cost him his feud, or titles to lands, which then reverted to the lord of the fee, or, in case of a crime against society, the Crown.

Fiat Accompli, a phrase from the French, meaning an accomplished fact. In government, it is used to indicate acquiescence in results secured from a political move. Even though in every case the means might not have been strictly legal, there is no disposition to question the result.

Fiat Money. The word fiat means decree; therefore fiat money is currency made legal by Legislative act, regardless of the fact that it has no basic value in itself. A stable currency always is redeemable in gold or silver, deposited in the Treasury of the United States. Paper money in itself represents no intrinsic value; it may become valuable by the promise of the Government to pay to its bearer on demand in gold or silver, as the case may be, its face value. Fiat money is also called credit money. See CURRENCY.

Field Officer, a military term which is applied to every officer of an army above the rank of Captain and below the different grades of Generals. Line officers are those below and including Captains; field officers up to and including the grade of Colonel; general officers, those above Colonels. See COMPARATIVE RANK IN ARMY AND NAVY.

Filibuster, an Anglicized form of the term applied to the Spanish pirates in the West Indies during the seventeenth

century. As now used the word has two meanings: (1) a military adventurer who without authority interferes in the affairs of a foreign Government with which his country is at peace; (2) an attempt to defeat or delay proposed legislation by artful practices.

Fine, a form of punishment levied against an offender by a judicial tribunal, and payable in cash to the injured municipality or State. In case the person convicted is unable to provide the money necessary to meet the fine, he must suffer imprisonment for a number of days computed as equitable to the amount of his fine. In some States this is averaged at $1 per day imprisonment, and in other States as high as $5 per day imprisonment. The amount of a fine is usually left to the discretion of the court, but there is in the Federal Constitution, Amendment VIII, ample protection of every citizen against the imposition of excessive fines. If an accused person is fined an amount which he deems excessive, he has the right of appeal to a higher court. If the latter accepts the appellant's view of the matter, the case is remanded back to the lower court for rehearing.

Fire Eater. Before and during the Civil War, a person of radical Southern views was termed by Northern people a "fire eater." Happily the phrase has now no significance.

First Colonial Congress. See COLONIAL CONGRESS.

Fiscal Year. Fiscal means financial. A fiscal year is the financial year of a corporation or Government; its twelve-months period of business may end on December 31st or on any other day, at the end of which the year's accounts are balanced. The fiscal year of the United States Government ends on June 30th.

Fishing Bounties. In colonial days Great Britain encouraged the fisheries industry along our coasts by generous bounties, and the loss of these after the Revolutionary War was keenly felt. In 1792 an act of Congress re-established the system, on the theory that the nation would be benefited, as well as individuals, for the fisheries would prove a practice ground out of which seamen could be mustered in case of war.

That the law-makers were far-sighted was demonstrated within twenty years, when the second war for independence was declared. The law of 1792 provided that all vessels employed for a period of at least four months yearly on the Newfoundland fisheries were entitled to bounties ranging from $1.25 to $2.50 per ton, in the proportion of three-eighths to the vessel-owners and five-eighths to the fishermen. The law was repealed before 1820.

Five=Twenties. The usual method by which the United States borrows money is by issuing Government bonds. They were formerly issued for terms of ten, twenty or thirty years, with the condition that they might be redeemed at the pleasure of the Government. During the Civil War, and immediately thereafter, bonds in great numbers were issued. Many of these were payable not before five years, and not later than twenty years from the date of issue. These were called five-twenties. Others were issued payable in not less than ten years and not more than forty years; these were called ten-forties.

Flag of the President. Every modern nation provides an ensign of special design to be used to indicate the presence of its ruler on board a naval vessel. Until 1882 the United States made no such provision for its President. The omission of such a naval regulation was called to the attention of Congress by President Arthur, and in the year named an ensign was adopted. The flag has a blue ground, with the arms of the United States in the center. It must be displayed at the mainmast of any vessel bearing the President.

Flag of the United States. Even before the Declaration of Independence was published to the world, the spirit of nationality was strong in the colonies, and in the earliest days of the Revolutionary War recruits from various parts of the country reported at army headquarters, bearing flags of various designs, all intended to emphasize the dominant sentiment of the people.

The "Star Spangled Banner" was of gradual growth. There is no record of its birth. The first resemblance to a National flag dates from the result of labor of Benjamin Franklin and

two associates, who were chosen a committee of Congress to create a National flag. They adopted an emblem with thirteen stripes, alternating red and white, quite similar in some respects to England's flag. They explained that this resemblance should be shown because "although the colonies unite for defense against England's tyranny, they still acknowledge her sovereignty." This flag was hoisted in January, 1776. The first recorded Legislative action for the establishment of a National flag was in June, 1777, by the Continental Congress, in session in Philadelphia, and was as follows:

Resolved, that the flag of the thirteen United States be thirteen stripes, alternating red and white; that the Union be thirteen stars, white in a blue field, representing a new constellation.

The act of Congress by which the flag in its present form was finally adopted was reported from the proper committee in the House of Representatives in January, 1818, and adopted sixty days thereafter. It was entitled, "An Act to Establish the Flag of the United States" and in full is as follows:

SECTION 1. Be it enacted, that from and after the fourth day of July next, the Flag of the United States be thirteen horizontal stripes, alternate red and white; that the Union have twenty stars, white, in a blue field.

SECTION 2. And be it further enacted, that on the admission of every new State into the Union, one star be added to the Union of the flag, and that such addition shall take effect on the fourth of July next succeeding such admission.

Approved April 4, 1818.

Florida was settled and named by the Spaniards, the first of whom, under Ponce de Leon, visited its shores in 1513. Its government was under Spanish authority until 1763, when the territory was ceded to Great Britain, which nation retained it twenty years, then turned it back to Spain, whose authority continued until 1800. In that year France was ceded all the territory lying west of the Perdido River. In 1812 the United States took possession of the western part of what is now Florida, claiming it to have been included in the Louisiana Purchase. During the War of 1812, the British held Pensacola for a short period, but it was soon retaken by American troops.

On March 30, 1822, Congress organized the Territory of Florida, and on March 3, 1845, it was admitted as a State to the Union, continuing in this relation until January, 1861, when an ordinance of secession carried the State over to the Confederacy. On February 6, 1868, a new Constitution was adopted, and in June of the same year the State re-entered the Union.

Government. Florida is now under its second Constitution, which was adopted in 1887. It may be amended by a two-thirds' vote of each House of the Legislature, but the proposition must be submitted to the voters of the State for majority approval. All marriages between white and colored persons are prohibited; no railroad company may issue passes to any State official; the Legislature may not create any office the term of which is for more than four years. The Executive Department consists of the Governor, the Secretary of State, Treasurer, Comptroller, Attorney-General, Commissioner of Agriculture and Superintendent of Public Instruction, all elected by the people for four years. The Legislature consists of a Senate of thirty-two members, elected for four years, one-half retiring every two years, and a House of Representatives of sixty-eight members elected for two years. Regular sessions of the Legislature are held biennially, and are limited to sixty days; if special sessions are necessary, they are called by the Governor and are limited to twenty days. Compensation of members is six dollars per day and mileage. The Judicial power is vested in a Supreme Court, consisting of a Chief Justice and two Associate Justices, elected for six years, one retiring every two years; in addition, there are eight Circuit courts and the usual array of criminal courts, County courts and Justices of the Peace. Each county in the State is governed by five Commissioners elected for terms of two years.

STATE SEAL OF FLORIDA.

Flotsam, Jetsam and Lagan. Flotsam consists of the goods of a ship that has been lost, which are floating on the surface of the water; in some countries it includes floating

property thrown overboard to lighten a vessel in peril. Lagan consists of those goods thrown overboard which afterwards sink, and whose location is marked by a buoy. The exact meaning of jetsam has been lost and now has no significance apart from flotsam.

Flotsam, jetsam and lagan found in the open sea belong to the finder, if the owner is unknown; if taken within the three-mile limit, however, yet off the shore, different dispositions are decreed by different countries; in England such property goes to the Crown; in the United States, to the finder, unless it is identified by the owner within a reasonable time.

Force Bill. This name has been popularly applied to several Federal laws whose object has been to provide means for properly enforcing certain statutes obnoxious to the sections where their operation was keenly resented. The first became a law on March 2, 1833, during the Nullification [q. v.] excitement; it was passed to enforce the revenue laws which Carolina had repudiated. Another force bill was that of May, 1870, designed to enforce the Fifteenth Amendment. The last act of this nature became a law in 1890; its object was to uphold the dignity of the elective franchise in certain Southern States. It was soon repealed.

Foreclosure is the legal process by which the collection of a real-estate mortgage is enforced. The statutes governing foreclosure vary in different States, but in nearly all of them a sale of real estate to satisfy a mortgage cannot be held until after publication of intention for three months in a newspaper of the county in which the property is located, and the posting of a notice of such proposed sale in a conspicuous position on the property. Any money realized from the sale above the amount of the mortgage and expenses incident to foreclosure must be given to the mortgagee.

Foreign Coins, VALUE OF. The relative value of coin of the United States and foreign countries varies but little. The following table will be found approximately correct at any date. Whether the coin named is gold, silver or copper is indicated by the letters g., s., c.

Coin.	Country.	U. S. equivalent.	Coin.	Country.	U. S. Equivalent.
Argentina, g.	Argentine.	$4.82	Lira, s.	Italy.	$0.19
Balboa, g.	Panama.	1.00	Lira, g.	Turkey.	4.40
Bolivar, s.	Venezuela.	.19	Mark, s.	Germany.	.24
Boliviano, s.	Bolivia.	.48	Mark, g.	Finland.	.19
Centavo, c.	Mexico.	.005	Medjidie, g.	Turkey.	.88
Centime, c.	France.	.002	Milreis, s.	Brazil.	.55
Colon, g.	Costa Rica.	.46	Milreis, g.	Portugal.	1.08
Condor, g.	Chile.	7.30	Ore, c.	Scandinavia.	.0025
Crown, s.	Austria.	.20	Penny, c.	Great Britain.	.02
Crown, s.	Denmark.	.27	Peseta, s.	Spain.	.19
Crown, s.	Great Britain.	.77	Peso, g.	Argentine.	.96
Crown, s.	Norway.	.27	Peso, s.	Central Amer.	.48
Crown, s.	Sweden.	.27	Peso, g.	Chile.	.36
Dollar, g.	Brit. Honduras	1.00	Peso, g.	Colombia.	1.00
Dollar, s.	Mexico.	.498	Peso, g.	Cuba.	.91
Dollar, g.	Liberia.	1.00	Peso, g.	Philippines.	.50
Doubloon, g.	Chile.	3.65	Peso, g.	Uruguay.	1.03
Drachma, s.	Greece.	.19	Pfennig, c.	Germany.	.0025
Escudo, g.	Chile.	1.82	Piaster, s.	Turkey.	.04
Farthing, c.	Great Britain.	.005	Pound, g.	Egypt.	4.94
Florin, s.	Austria.	.40	Pound, g.	Great Britain.	4.87
Florin, s.	Great Britain.	.50	Ruble, g.	Russia.	.51
Florin, g.	Netherlands.	.40	Rupee, s.	India.	.32
Franc, s.	France.	.19	Scudo, g, s.	Italy.	.95
Gourde, s.	Haiti.	.96	Sen, c.	Japan.	.005
Guilder, s.	Netherlands.	.40	Shilling, s.	Great Britain.	.24
Guinea, g.	Great Britain.	5.04	Sixpence, s.	Great Britain.	.12
Gulden, s.	Austria.	.48	Sol, s.	Peru.	.49
Heller, s.	Austria.	.004	Soldo, c.	Italy.	.01
Kopeck, c.	Russia.	.005	Sovereign, g.	Great Britain.	4.87
Kran, s.	Persia.	.09	Sucre, g.	Ecuador.	.48
Libra, g.	Peru.	4.87	Tael, s.	China.	.80
			Yen, s.	Japan.	.498

Foreign Office. That department of the Government of Great Britain and of nearly all other European countries in whose hands are its diplomatic relations with other Governments is called the Foreign Office. It occupies the same position in the machinery of government as our Department of State.

Foreign Service. See Diplomatic Service.

Foreign Valuations is a term related to customs duties, or tariff. The dutiable value of imports, or the value placed upon imports at our customhouses, is the market value at the time of exportation in the country from which the goods are shipped. This basis upon which tariff is levied is called foreign valuation. Only one tariff bill, that of 1833, has scheduled tariff rates at home valuation. See Customs Duties.

Forfeiture is the form of law by which a person is divested of his rights in property, without compensation, as a penalty for violation of a statute. In the United States crime against

any State may be punished by fine and imprisonment, but the State cannot declare the goods of a condemned person forfeited. Smuggled goods cannot be claimed as the absolute property of the person claiming title, for they bear the taint of violation of law. Such goods on which the duty has not been paid may be seized by the Government. Illicit stills are in direct violation of law and when found are destroyed; the same is true of counterfeiting outfits. Any commodity sold in violation of statute is forfeited wherever found by the authorities.

Forgery is the act of falsely making or materially altering any written instrument, with the clear intent to defraud another person of his rights. There must be intent shown before conviction can be secured against an accused person, but it is not necessary that any one should have been injured to make conviction possible.

Fort. In its modern significance a fort is any permanent military post or station, whether fortified or not, although few such stations are ever established without a plan of fortification. Many forts of the days of the early wars and Indian uprisings still bear the name, but are of no value or importance today. Only a few years ago a large number of military posts or forts were occupied by United States troops, in anticipation of frequent Indian depredations. Of late these have been abandoned one by one, and the policy of the Government now is to concentrate large forces in a few strongly built stations. A modern post contains many acres, to give room for a large number of permanent buildings for officers and men and for spacious parade grounds.

The following table gives the names of the most important posts in the United States, together with their locations and garrisons:

Name.	Location.	Garrison.
Fort Adams	Newport, R. I.	District headquarters and 4 companies coast artillery.
" Assinniboine	Montana.	Regimental headquarters and 4 troops cavalry; 4 companies infantry.
" Baker	Sausilito, Cal.	3 companies, coast artillery.

Name.	Location.	Garrison.
Fort Barrancas	Pensacola, Fla.	District headquarters and 5 companies, coast artillery.
" Bliss	El Paso, Texas.	4 companies, infantry.
" Brown	Brownsville, Texas.	4 companies, infantry.
" Casey	Port Townsend, Wash.	3 companies, coast artillery.
" Clark	Brackettville, Texas	8 troops, calvary.
Columbus Barracks	Columbus, Ohio.	2 companies infantry and recruit depot.
Fort Crook	Nebraska	8 companies, infantry.
" D. A. Russell	Cheyenne, Wyoming	Regiment, infantry, and 2 batteries field artillery.
" Des Moines	Des Moines, Iowa.	Regiment, cavalry.
" Douglas	Salt Lake City, Utah.	Regimental headquarters and 5 companies, infantry.
" Ethan Allen	Burlington, Vermont	Regiment, cavalry and 2 batteries field artillery.
" Flagler	Port Townsend, Wash.	4 companies, coast artillery.
" Hamilton	New York Harbor.	4 companies, coast artillery and district headquarters.
" Hancock	Sandy Hook, N. J.	4 companies, coast artillery and Ordnance Proving Ground.
" Howard	Baltimore, Maryland	3 companies, coast artillery.
" Jay	Governor's Island, N.Y.	4 companies, infantry; Headquarters Atlantic Division, and headquarters Department of the East.
Jefferson Barracks	St. Louis, Missouri	4 troops, cavalry.
Key West Barracks	Key West, Florida	District headquarters and 3 companies, coast artillery.
Fort Lawton	Seattle, Washington.	Regimental headquarters and 4 companies, infantry.
" Leavenworth	Kansas	4 companies, engineers, 1 company, signal corps, 4 troops cavalry, 2 batteries field artillery, and a regiment of infantry. Also infantry and Cavalry School, Signal School and Staff College.
" Logan	Colorado.	4 companies, infantry.
Madison Barracks	Sacketts Harbor, N. Y.	Regimental headquarters and 8 companies, infantry.
Fort McDowell	Angel Island, Cal.	Regimental headquarters and 6 companies, infantry.
" McKinley	Portland, Maine.	4 companies, coast artillery.
" Meade	Sturgis, S. D.	Regimental headquarters and 8 troops cavalry.
" Monroe	Virginia.	District headquarters, 8 companies, coast artillery, Artillery School.
" Myer	Washington, D. C.	Regimental headquarters and 4 troops cavalry; 2 batteries field artillery.
" Niobrara	Valentine, Nebraska.	Regimental headquarters and 8 companies, infantry.
" Oglethorpe	Dodge, Georgia.	Regiment of cavalry.
Plattsburg Barracks	Plattsburg, N. Y.	Regiment of infantry.
Presidio of Monterey	Monterey, California.	1 regiment and 2 companies of infantry; 3 troops cavalry.
Presidio of San Francisco.	San Francisco, Cal.	10 companies, coast artillery, 3 batteries field artillery and 1 troop cavalry
Fort Riley	Kansas	12 troops, cavalry, 5 batteries field artillery and School of Application for Cavalry and Field Artillery.
" Robinson	Nebraska	Regimental headquarters and 8 troops cavalry.
" Sam Houston	San Antonio, Texas.	4 troops cavalry, 2 batteries field artillery, regimental headquarters and 4 companies infantry.

Name.	Location.	Garrison.
Fort Sheridan	Illinois (Chicago)	Regiment of infantry; 2 batteries field artillery.
" Snelling	St. Paul, Minnesota	Regimental headquarters and 10 companies infantry, 4 troops cavalry; 2 batteries field artillery.
" Thomas	Newport, Kentucky	Regimental headquarters and 4 companies infantry.
" Totten	New York	District headquarters and 5 companies, coast artillery; School of Submarine Defence, and Electrician Sergeants' School.
Vancouver Barracks	Washington	Regimental headquarters and 10 companies infantry; 2 batteries field artillery.
Fort Wadsworth	New York Harbor	5 companies, coast artillery.
Washington Barracks	Washington, D. C.	4 companies engineers, War College and Engineers' School.
Fort Washington	Maryland	District headquarters and 3 companies, coast artillery.
West Point	New York,	U. S. Military Academy and detachments of all arms.
Fort Worden	Port Townsend, Wash.	District headquarters and 4 companies, coast artillery.

Fractional Currency, money of any denomination less than the standard unit of National currency. In the United States, the unit is the dollar; in England, the pound sterling.

Franchise. 1. A special privilege granted to a person or corporation or body politic (such as a city or village Government) to engage in business of a public or semi-public nature is termed a franchise. It is granted through Legislative sanction, either by village councils, city boards of aldermen or State Governments, and runs for a term of years. In times past many franchises were granted practically in perpetuity, but of late years private permits for terms longer than forty or fifty years are rare. The interests of citizens are best protected by even shorter grants.

2. The word franchise means, also, a political or Constitutional right reserved to or vested in the people, as an elective franchise. See ELECTIVE FRANCHISE.

Frank, an authorized signature placed on mail matter with the effect of exempting such matter from payment of postage. The term also means the right to send mail matter free of postage under such signature. The signature on franked matter need not be written in ink. It may be printed from an electrotyped

facsimile. There is a penalty attached to an improper use of the frank. See FRANKING PRIVILEGE.

Franking Privilege. The right granted to officers of the Federal Government to free use of the United States mails, under certain limitations, is called the "franking privilege." The laws in the early days of the Union permitted the President, Vice-President, all members of the Cabinet, members of both branches of Congress and Territorial Delegates to mail all letters without payment of postage. This necessarily included private correspondence. To Washington, John Adams, Jefferson and Madison, the courtesy was extended after their retirement to private life, and continued until death. The widows of these Presidents also shared the benefits of the same acts of Congress.

From time to time modifications have been made in the franking laws. Today the Act of March, 1877, is in force, and it provides that only letters on Government business, mailed by officials, Congressional documents and packages from departments for gratuitous distribution shall be carried free. See FRANK.

Frankland, STATE OF. In 1784 the settlers of what is now East Tennessee established a Government under the name of State of Frankland. They had become angered by the action of their former Government, North Carolina, in permitting the cession of their district to the Confederation proposed by the Ordinance of 1784. North Carolina was obliged to revoke her cession; four years later the new "State" was suppressed, but in the next year (1789) the strip again passed from Carolina's possession and with it additional territory to the west, all of which became the Territory, and later, State, of Tennessee.

Franklin's Plan of Union. In the Albany Convention [q. v.] of 1754, Benjamin Franklin submitted an outline of a Plan of Union of the colonies under the control of the mother country, which, had it been adopted, might have averted the Revolutionary War and changed the history of the western world. The Plan of Union had the cordial support of the whole convention, which was composed of stronger statesmen than had ever before met in formal convention in America. Curiously

enough, it did not meet with approval in the colonies, not one of which was willing to accept it. England's objection to it was that it was too democratic. The document is here printed as it appears in Sparks's edition of Franklin's writings:

Plan of Union of the British American Colonies, adopted by the Convention at Albany in 1754, with the Reasons and Motives for each Article of the Plan.

It is proposed, that humble application be made for an act of Parliament of Great Britain, by virtue of which one general government may be formed in America, including all the said Colonies, within and under which government each Colony may retain its present constitution, except in the particulars wherein a change may be directed by the said act, as hereafter follows:

PRESIDENT-GENERAL AND GRAND COUNCIL.

That the said general government be administered by a President-General, to be appointed and supported by the Crown; and a Grand Council, to be chosen by the representatives of the people of the several Colonies met in their respective assemblies.

ELECTION OF MEMBERS.

That within —— months after the passing such act, the House of Representatives that happen to be sitting within that time, or that shall be especially for that purpose convened, may and shall choose members for the Grand Council, in the following proportion, that is to say,

Massachusetts Bay	7
New Hampshire	2
Connecticut	5
Rhode Island	2
New York	4
New Jersey	3
Pennsylvania	6
Maryland	4
Virginia	7
North Carolina	4
South Carolina	4
	48

PLACE OF FIRST MEETING.

—who shall meet for the first time at the City of Philadelphia in Pennsylvania, being called by the President-General as soon as conveniently may be after his appointment.

NEW ELECTION.

That there shall be a new election of the members of the Grand Council every three years; and, on the death or resignation of any member, his place should be supplied by a new choice at the next sitting of the Assembly of the Colony he represented.

PROPORTION OF MEMBERS AFTER THE FIRST THREE YEARS.

That after the first three years, when the proportion of money arising out of each Colony to the general treasury can be known, the number o

members to be chosen for each Colony shall, from time to time, in all ensuing elections, be regulated by that proportion, yet so as that the number to be chosen by any one Province be not more then seven, nor less than two.

MEETINGS OF THE GRAND COUNCIL, AND CALL.

That the Grand Council shall meet once in every year, and oftener if occasion require, at such time and place as they shall adjourn to at the last preceding meeting, or as they shall be called to meet at by the President-General on any emergency; he having first obtained in writing the consent of seven of the members to such call, and sent due and timely notice to the whole.

CONTINUANCE.

That the Grand Council have power to choose their speaker; and shall neither be dissolved, prorogued, nor continued sitting longer than six weeks at one time, without their own consent or the special command of the crown.

MEMBERS' ALLOWANCE.

That the members of the Grand Council shall be allowed for their service ten shillings sterling per diem, during their session and journey to and from the place of meeting; twenty miles to be reckoned a day's journey.

ASSENT OF PRESIDENT-GENERAL AND HIS DUTY.

That the assent of the President-General be requisite to all acts of the Grand Council, and that it be his office and duty to cause them to be carried into execution.

POWER OF PRESIDENT-GENERAL AND GRAND COUNCIL; TREATIES OF PEACE AND WAR.

That the President-General, with the advice of the Grand Council, hold or direct all Indian treaties, in which the general interest of the Colonies may be concerned; and make peace or declare war with Indian nations.

INDIAN TRADE.

That they make such laws as they judge necessary for regulating all Indian trade.

INDIAN PURCHASES.

That they make all purchases from Indians, for the crown, of lands not now within the bounds of particular Colonies, or that shall not be within their bounds when some of them are reduced to more convenient dimensions.

NEW SETTLEMENTS.

That they make new settlements on such purchases, by granting lands in the King's name, reserving a quitrent to the crown for the use of the general treasury.

Laws to Govern Them.

That they make laws for regulating and governing such new settlements, till the crown shall think fit to form them into particular governments.

Raise Soldiers, and Equip Vessels, &c.

That they raise and pay soldiers and build forts for the defense of any of the Colonies, and equip vessels of force to guard the coasts and protect the trade on the ocean, lakes, or great rivers; but they shall not impress men in any Colony, without the consent of the Legislature.

Power to Make Laws, Lay Duties, &c.

That for these purposes they have power to make laws, and lay and levy such general duties, imposts, or taxes, as to them shall appear most equal and just (considering the ability and other circumstances of the inhabitants in the several Colonies), and such as may be collected with the least inconvenience to the people; rather discouraging luxury, than loading industry with unnecessary burdens.

General Treasurer and Particular Treasurer.

That they may appoint a General Treasurer and Particular Treasurer in each government when necessary; and, from time to time, may order the sums in the treasuries of each government into the general treasury; or draw on them for special payments, as they find most convenient.

Money, How to Issue.

Yet no money to issue but by joint orders of the President-General and Grand Council; except where sums have been appropriated to particular purposes, and the President-General is previously empowered by an act to draw such sums.

Accounts.

That the general accounts shall be yearly settled and reported to the several Assemblies.

Quorum.

That a quorum of the Grand Council, empowered to act with the President-General, do consist of twenty-five members; among whom there shall be one or more from a majority of the Colonies.

Laws to be Transmitted.

That the laws made by them for the purposes aforesaid shall not be repugnant, but, as near as may be, agreeable to the laws of England, and shall be transmitted to the King in Council for approbation, as soon as may be after their passing; and if not disapproved within three years after presentation, to remain in force.

Death of the President-General.

That, in case of the death of the President-General, the Speaker of the Grand Council for the time being shall succeed, and be vested with the same powers and authorities, to continue till the King's pleasure be known.

OFFICERS, HOW APPOINTED.

That all military commission officers, whether for land or sea service, to act under this general constitution, shall be nominated by the President-General; but the approbation of the Grand Council is to be obtained, before they receive their commission. And all civil officers are to be nominated by the Grand Council, and to receive the President-General's approbation before they officiate.

VACANCIES, HOW SUPPLIED.

But, in case of vacancy by death or removal of any officer, civil or military, under this constitution, the Governor of the Province in which such vacancy happens may appoint, till the pleasure of the President-General and Grand Council can be known.

EACH COLONY MAY DEFEND ITSELF ON EMERGENCY, &C.

That the particular military as well as civil establishments in each Colony remain in their present state, the general constitution notwithstanding; and that on sudden emergencies any Colony may defend itself, and lay the accounts of expense thence arising before the President-General and Grand Council, who may allow and order payment of the same, as far as they judge such accounts just and reasonable.

Fraud is wilful deception practiced upon a person with intent to injure him in a material way. If proved in connection with any transaction, fraud annuls all acts, obligations and contracts into which it enters, and the law relieves the party injured. If both parties act fraudulently, neither can legally take advantage of the act of the other.

Free Coinage. By free coinage of any precious metal into legal tender is meant the right of any owner of bullion to take it to the mint and have it coined into money, that is, to exchange his bullion for coin, dollars' worth for dollars' worth, excepting a small charge for the actual cost of coinage. Two Presidential campaigns in the United States (1896 and 1900) were fought with great vigor and not a little bitterness, in which the issue was the "free and unlimited coinage of both gold and silver, on a basis of 16 to 1, without waiting for the aid or consent of any other nation." The plea of the "free silver" people was not sustained at the polls. See BIMETALLISM; MONOMETALLISM; SIXTEEN-TO-ONE.

Freedman's Bureau. Between the years 1864 and 1870, Congress faced the gigantic task of caring for the negroes whose liberation from slavery had thrown them on the country without

the means of self-support. An act called the Freedman's Bureau Bill was passed in 1865, to regulate and systematize the work in behalf of the blacks. This Freedman's Bureau was placed in charge of the War Department and given control of "refugees, freedmen and abandoned lands." It was given power to assign small tracts of land, not more than forty acres, to each deserving refugee. The original law was to be in force one year, as a trial of the system; it was so successful that it was re-enacted for another year, and thus extended until 1870, when the necessity for its continuance was not apparent.

Freedom of Speech. By freedom of speech is meant the right to speak or publish whatever is not contrary to private rights and which does not disturb the public peace. A man cannot have absolute freedom of speech; had he this privilege, the rights of others might suffer. Every man, then, has personal rights and freedom of speech just to the point where his acts or utterances conflict with the rights of his fellow-men. If he ventures beyond that point, either in speech or in print, the injured person has a certain remedy at law. See LIBEL; SLANDER.

Freedom of the City. When a municipality desires to honor in a signal manner a stranger within its borders it confers upon him by special order what is known as the "freedom of the city." This gives to the visitor all the privileges of citizenship and is frequently accompanied by the presentation of an immense key symbolizing the key to the city, which opens every door to the pleasure of the guest. This form of honor is not unknown in the United States, although rarely extended. In England it is frequently granted.

Freedom of the Press. See FREEDOM OF SPEECH.

Free Goods are imports which are not subject to customs duties. They constitute the "free list" of every tariff act, and include, but not by name, all articles upon which no duty is to be levied.

Freehold, an absolute ownership or possession for life of real estate; land held by full legal tenure.

Free List. See FREE GOODS.

Free-Soil Party, a political organization developed in 1848, upon the principle of the non-extension of slavery into new territory. It advocated, also, the abolition of slavery wherever practicable, meaning, at that time, in the District of Columbia. The immediate cause of the formation of the party was the acquisition of new territory after the war with Mexico; its members sought to have any States formed from these lands organized as free States. The Free-Soil party was another step towards the organization of the Republican party of today. Its slogan was "Free soil, free speech, free labor, free men." See Political Parties in the United States.

Free Trade is a term indicating the condition of commercial relations between countries when exchange of commodities is unrestricted by tariffs, or customs regulations. But among all the enlightened nations there is no such thing as absolute free trade; every country levies tariffs upon certain classes of imports. Great Britain is considered a free trade country, but upon certain articles of commerce coming into British ports a duty has always been levied, to help defray the expenses of the Government.

There is in the United States a large political party in favor of so-called free trade, but its most enthusiastic adherents do not mean to carry the idea to the point of levying no tariff whatever upon imports. Some duty upon foreign goods is necessary as a means of raising revenue, unless the general Government is to be supported by direct taxation—an economic principle no man would care to advocate. The general idea of free trade is to remove the duty from everything from which it can be spared and yet not diminish the revenues needed from that source. In selecting the goods upon which duties must be levied, the "free trader" bears in mind that to produce unfailing revenue the tariff must cover commodities the people are obliged to buy. If different choice be made, it would be possible to stop the inflow of customs by refusing to purchase the unnecessary articles. Therefore, such articles as tea, coffee, spices and a large variety of other commodities of regular consumption are usual objects of tariff legislation on a free trade program.

Free trade, then, in effect, is the withdrawal of customs duties from the imports of a country, except on such articles as it is necessary to maintain a tariff to help support the general Government. For the opposite theory of tariff regulation, see PROTECTION.

Fugitive Slave Law. In the days preceding the Civil War (1850) Congress passed an act popularly known as the Fugitive Slave Law, which intensified the feeling of discord between the North and the South and became one of the causes which hastened the Rebellion. Under the provisions of this act, any slave escaping from his master should be returned as soon as apprehended, and it became the duty of every officer to exercise great diligence in hunting down the fleeing blacks. If any officer refused to obey the law, he was subject to a heavy fine for every proved delinquency. The North never gave the measure its approval, and some States passed "personal liberty" laws, in an effort to counteract the effect of the act of Congress. The South naturally looked upon this latter legislation as a breach of faith. There was a fugitive slave law passed before the enactment of 1850, but it was in the early days of the nation (1793) and excited but little comment, inasmuch as the institution of slavery was at that time held in higher repute.

The authority by which Congress declared itself obliged in equity to pass these laws is in Article IV, Section 2, Clause 2, of the Constitution, as follows:

> A person charged in any State with treason, felony, or other crime, who shall flee from justice, and be found in another State, shall on demand of the Executive authority of the State from which he fled, be delivered up, to be removed to the State having jurisdiction of the crime.

A broad interpretation of the Section seemed to cover the case of personal property (slaves) escaping from their lawful owners.

Fusion is the act of blending, or the union of parts, as if through melting and mingling. In American politics the term has been used to denote the coming together of different political parties on a mutually agreeable basis in an effort to control an election. In such case the nominations of officers to be voted for are divided between the factions in proportion to their voting strength.

G

Gag Law. Any law which seeks to prevent free discussion, shut off proper debate and make impossible sufficient consideration of a matter is called a gag law. In the stormy days when the Civil War clouds were rising, it was not uncommon in Congress for some adherent of either side of the great contention to offer resolutions to "lay on the table" matters which were distasteful to his faction. No gag laws have appeared in legislation since the War.

Garrison, a collective term denoting the officers and men stationed at a fort or military post to properly care for it and defend it against attack. In 1906 there were garrisons stationed at 195 posts in the United States (not including our insular possessions), but this number is decreasing, owing to the rapid settlement of formerly unoccupied Western territory. See FORT.

General Assembly. Every State Constitution decrees the name by which its law-making body shall be officially known. The term General Assembly is synonymous with Legislature [q. v.].

General Convention, an international agreement concluded at a conference of the Great Powers at Geneva, Switzerland, in 1864. It established rules of war and provided humane methods of treatment of the sick and the wounded in battle. At first only twelve European States signed the articles, but the number has increased until every civilized nation is now a party to it. At the Hague Peace Conference of 1899 the principles of the Convention were extended to naval warfare.

General of the Army. The officer bearing this title is in rank above every other person in the military service of the United States. No man rises to this position through mechanical promotion, as is the case lower in the ranks. The General of the Army is always appointed by the President, by Congressional authority, and at his death the grade lapses, to be revived again only by another appointment. George Washington held

this high office until his death; there was no further appointment until 1866, when Ulysses S. Grant was raised to the grade. Upon his election to the Presidency, William Tecumseh Sherman was given the honor. Philip Sheridan was the last officer of the United States to bear the title.

The rank of General in the army is above that of Lieutenant-General, Major-General and Brigadier-General, respectively. The corresponding grade in the navy is Admiral. See Officers of the Army; Comparative Rank in Army and Navy.

General Staff of the Army. By act of Congress in 1903, a group of officers, about forty-five in number, is detached from active service with their military commands and placed under direction of the President for special service. This group is called the General Staff; each appointment is for four years. The duties of this Staff are so numerous and comprehensive that only the most important can be named here. It is required to investigate and report upon all matters relating to the efficiency of the army and its preparation for active and serious service; it studies all possible theatres of war and collects military information of every variety all over the world; it prepares plans for National defense and for rapid mobilization of troops. Similar organizations exist in the military establishments of all modern Governments.

Geodetic Survey, the measurement of portions of the earth's surface by triangulation and astronomical observation. See Coast and Goedetic Survey.

Geological Survey, a bureau of the Department of the Interior, founded in 1879. At first its activities were limited to geological examination of the Territories, but after two years its scope was enlarged to comprise all the States, as well. This bureau has charge of the classification of the public lands [q. v.], the examination of geological structures, mineral resources and products of the country, and of the survey of the forest reserves.

Georgia. The State was named in honor of King George II of England. The first white people to traverse the territory

were Spaniards, in 1540. Georgia formed a part of the tract of land granted to the proprietors of Carolina in 1663. In 1719 it received a provincial charter. In 1732 it was given the distinction of an independent colony, at the time James Oglethorpe led a party of English colonists who sought a refuge from debt in England. The first English colony may be said to date from 1733. A feeling of discontent broke out in the colony over the management of its affairs, and in 1752 the whole territory of Georgia was put again under provincial government, and it was extended westward to the Pacific Ocean. The gathering war clouds suggested measures of safety, and in 1775 a Provincial Congress convened and two years later a State Constitution was adopted. It maintained this independent government until 1788, when on January 2nd, Georgia ratified the new Federal Constitution. In January, 1861, a Convention met at Milledgeville to determine the State's attitude on the question of slavery and union. The convention favored withdrawal from the Union, and in March, 1861, the new Confederate Constitution was ratified. In December, 1865, the Legislature ratified the Thirteenth Amendment; in April, 1868, the State adopted a new Constitution, and the new Legislature convened under it and ratified the Fourteenth Amendment; in February, 1870, the Legislature having assented to every requirement of the Federal Government, admission to the Union was again applied for. In July this was accomplished.

STATE SEAL OF GEORGIA.

Government. The present Constitution of Georgia was adopted in 1877. A vote of two-thirds of the members of each House of the General Assembly, for two consecutive sessions, besides a majority vote of the people, is necessary in order that the Constitution may be amended. The Executive officers are the Governor, Secretary of State, Treasurer, and Comptroller-General, all of whom are chosen for terms of two years, and each may be re-elected indefinitely, except the Governor, who

is entitled to but two consecutive terms. The General Assembly consists of a Senate of forty-four members and a House of Representatives of 175 members, all chosen for terms of two years; they receive four dollars per day for attendance at sessions, besides mileage. Sessions are limited to sixty days. The Judicial power is vested in a Supreme Court, consisting of a Chief Justice and five Associate Justices, and also in Superior courts, Courts of Ordinary and Justices of the Peace.

Gerrymander. Gerrymandering is the process of altering election districts so that by distribution of voting strength therein one political party may derive an advantage over another. It is possible so to select counties of a State to form Congressional Districts that, though the whole State have a majority vote in favor of one party, a Congressional delegation of another political faith may be elected. This is accomplished by combining counties having a large majority in favor of the manipulating party with others in which that party has a minority a little smaller than its majority in the former. The result of a full vote is a small majority for the manipulators.

THE FIRST GERRYMANDER. ILLUSTRATION SLIGHTLY MODIFIED FOR PUBLICATION, BY POLITICAL OPPONENTS.

The gerrymander has been practiced in perhaps every State of the Union. It is a measure strictly legal, though morally reprehensible, and is a great temptation to politicians who desire, by whatever means are possible and safe, to perpetuate

their control. The courts cannot declare the arrangement of district invalid, if the counties composing it are connected. To Elbridge Gerry, Governor of Massachusetts, is given the credit, if it may be so termed, of originating the idea. In 1814 the Massachusetts Senatorial Districts were laid out with the intention that a majority of the State Senate would be Democrats, no matter how strongly their opponents voted. To accomplish this, many districts assumed fantastic shapes. One in particular was so ill-shaped that a Boston paper published a picture of it, in colors, and gave it a few additional features to make it resemble some monstrous animal. It was called the "Gerrymander," a fusion of the name of the Governor who had favored the Senatorial divisions, and the last part of the name "salamander," a lizard-like animal.

Gettysburg Address. One of the most notable addresses in the world's history—probably the most masterful political utterance in few words—was the address of President Abraham Lincoln, in November, 1863, on the battlefield of Gettysburg, the occasion being the dedication of the National Cemetery. He spoke without notes and with slight preparation. The address follows in full:

"Fourscore and seven years ago our fathers brought forth on this continent a new nation, conceived in liberty, and dedicated to the proposition that all men are created equal.

"Now we are engaged in a great civil war, testing whether that nation, or any nation so conceived and so dedicated, can long endure. We are met on a great battlefield of that war. We have come to dedicate a portion of that field as a final resting place for those who here gave their lives that that nation might live. It is altogether fitting and proper that we should do this

"But, in a larger sense, we cannot dedicate, we cannot consecrate, we cannot hallow this ground. The brave men, living and dead, who struggled here have consecrated it, far above our poor power to add or detract. The world will little note, nor long remember, what we say here, but it can never forget what they did here. It is for us, the living, rather, to be dedicated here to the unfinished work which they who fought here have thus far so nobly advanced It is rather for us to be here dedicated to the great task remaining before us, that from these honored dead we take increased devotion to that cause for which they gave the last full measure of devotion, that we here highly resolve that these dead shall not

have died in vain, that this nation, under God, shall have a new birth of freedom, and that government of the people, by the people, for the people, shall not perish from the earth."

God in the Constitution. In the Constitution of the United States there is neither a reference to the Deity nor to any creed. There have been several movements among ecclesiastical societies to secure an amendment to the Constitution in which the Union shall officially recognize God as the Great Ruler of the universe, but success has not attended any of these efforts. Doubtless a favorable vote would be difficult to secure, notwithstanding we are a Christian nation. The Constitution, in Amendment I, declares that no law shall be passed respecting either the establishment of religion or the free exercise thereof. Personal views relative to a Deity might make it impossible for a man to swear to support the Constitution if that document pledged him to an acknowledgment of a Supreme Being

"God Reigns and the Government at Washington Still Lives." These memorable words were uttered by James A. Garfield, then an Ohio Congressman, on the morning after the assassination of President Lincoln. A panic had seized the country upon the death of the great leader and any influence which had opposed Lincoln was in danger from angry mobs of citizens. A crowd was about to attack the office of a New York newspaper unfriendly to the administration when Garfield addressed them briefly and with successful issue from the top of a box in the street. He said:

"Fellow-citizens! Clouds and darkness are round about Him. His pavilion is dark waters and thick clouds of the skies. Justice and judgment are the establishment of His throne. Mercy and truth shall go before His face. Fellow-citizens! God reigns, and the Government at Washington still lives!"

Gold Bugs. A political term applied by those favoring bimetallism [q. v.] to men who advocated a single standard of value based on gold. During the years between 1896 and 1904, the name was widely used. See SINGLE STANDARD; SILVER QUESTION.

Gold Certificates. Since 1882 an act of Congress has authorized the Secretary of the Treasury to receive deposits of

gold coin, from any legitimate source, in sums of not less than twenty dollars, and to exchange for it certificates in denominations of not less than the same minimum amount. These certificates are paper money, worth their face value anywhere, because the holder can present them at any National bank or United States sub-treasury and receive the amount of gold originally deposited. Under the law there must be kept in the Treasury Department as much gold as is necessary to redeem every dollar of outstanding gold certificates. The main reason that these certificates are issued is that one piece of paper money is a more convenient circulating medium than an equivalent amount of coined gold. Gold certificates are legal tender [q. v.] for customs duties, taxes, and all public dues. National banks holding such certificates may count them as part of their lawful reserve fund. See MONEY.

Gold Standard. See SINGLE STANDARD.

Gold Standard Act. The United States is committed to the single gold standard of value as the basis of its monetary system. A strong minority of the people sought at two Presidential elections to introduce the double standard, based upon the parity of gold and silver at a fixed proportionate value, but without success. Gold is the only metal whose value fluctuates but little, and it is therefore the safest standard from which to determine all values. The present law was passed in 1900, and was entitled, "An Act to define and fix the standard of value, to maintain the parity of all forms of money issued or coined by the United States, to refund the public debt, and for other purposes." By this act the dollar is made the unit of our currency, and it is decreed that it shall be twenty-eight grains of gold in weight, nine-tenths fine. All forms of money issued or coined must be maintained at a parity with this gold standard.

United States notes and Treasury notes shall be redeemed in gold coin, and a redemption fund of $150,000,000 of coin and bullion is set aside to be used for that purpose only. Thus the paper money of these two varieties is made a safe form of currency, being always redeemable in gold at the pleasure of the

bearer. The following is the text of the Section carrying out this important provision:

"SEC. 2. That United States notes, and Treasury notes issued under the act of July 14, 1890, when presented to the treasury for redemption, shall be redeemed in gold coin of the standard fixed in the first section of this act, and in order to secure the prompt and certain redemption of such notes as herein provided it shall be the duty of the Secretary of the Treasury to set apart in the treasury a reserve fund of $150,000,000 in gold coin and bullion, which fund shall be used for such redemption purposes only, and whenever and as often as any of said notes shall be redeemed from said fund it shall be the duty of the Secretary of the Treasury to use said notes so redeemed to restore and maintain such reserve fund in the manner following, to wit:

"First. By exchanging the notes so redeemed for any gold coin in the general fund of the treasury.

"Second. By accepting deposits of gold coin at the treasury or at any sub-treasury in exchange for the United States notes so redeemed.

"Third. By procuring gold coin by the use of said notes, in accordance with the provisions of Section 3,700 of the Revised Statutes of the United States.

"If the Secretary of the Treasury is unable to restore and maintain the gold coin in the reserve fund by the foregoing methods, and the amount of such gold coin and bullion in said fund shall at any time fall below $100,000,000, then it shall be his duty to restore the same to the maximum sum of $150,000,000 by borrowing money on the credit of the United States, and for the debt thus incurred to issue and sell coupon or registered bonds of the United States, in such form as he may prescribe, in denominations of $50 or any multiple thereof, bearing interest at the rate of not exceeding 3 per centum per annum, payable quarterly, such bonds to be payable at the pleasure of the United States after one year from the date of their issue, and to be payable, principal and interest, in gold coin of the present standard value, and to be exempt from the payment of all taxes or duties of the United States, as well as from taxation in any form by or under State, municipal, or local authority; and the gold coin received from the sale of said bonds shall first be covered into the general fund of the treasury and then exchanged, in the manner hereinbefore provided, for an equal amount of the notes redeemed and held for exchange, and the Secretary of the Treasury may, in his discretion, use said notes in exchange for gold, or to purchase or redeem any bonds of the United States, or for any other lawful purpose the public interests may require, except that they shall not be used to meet deficiencies in the current revenues.

"That United States notes when redeemed in accordance with the provisions of this section shall be reissued, but shall be held in the reserve fund until exchanged for gold, as herein provided; and the gold coin and

bullion in the reserve fund, together with the redeemed notes held for use as provided in this section, shall at no time exceed the maximum sum of $150,000,000."

Government, CHECKS ON. See CHECKS ON GOVERNMENT.

Government, FORMS OF. See ARISTOCRACY, DEMOCRACY, MONARCHY, OLIGARCHY, REPUBLIC, COLONIAL GOVERNMENT.

Government, SEAT OF. See SEAT OF GOVERNMENT.

Graft, a slang word denoting unearned money or other valuable consideration accepted and retained by a person over and above his legal fee or his stated remuneration. A person who seeks pecuniary advantage of this nature expects to make some adequate return to those who thus favor him, and in this fact lies a suspicion of dishonest practice. "Grafting" is no less than the purchase and sale of special privilege, and some innocent person must pay the amount involved in the dishonest bargain. In public affairs, the public suffers when an official becomes a party to such methods. It is not easy to apply the law to these offenders against the public welfare, because the transactions are usually carried on with utmost secrecy and are difficult to prove in court.

Grand Army of the Republic, the name of a society of soldiers who are survivors of the Civil War. The organization is designed to render to the veterans mutual aid and assistance, and has been as well, since its organization in 1866, a vital patriotic force throughout the land. To Dr. B. F. Stephenson, of Springfield, Illinois, belongs the credit of suggesting the formation of a union of this nature to keep alive the memories of participation in the greatest struggle of modern times. The first local society was formed in Decatur, Illinois, in the year named. By the constitution of the Grand Army organization each local body is called a "post." Other posts rapidly followed the first, and in a very short time nearly the whole body of survivors of the War was enrolled in the various State departments. Early in its history the charge that the Grand Army was used by politicians to further their ends greatly decreased its membership through resignation, but a radical change in management soon won the dissenters back.

Every year the surviving members hold an annual encampment in some city of the country. The ranks of the organization are rapidly thinning by deaths, and the Grand Army of the Republic will be only a sacred memory when the last old soldiers are gone. An effort to provide for its continuance by admitting to its membership the Sons of Veterans [q. v.] and survivors of the Spanish-American War was made on several occasions, but did not meet with favor.

MEMBERSHIP BY YEARS.

1879..... 44,752	1890..... 409,489	1900..... 276,662
1880..... 60,634	1891..... 407,781	1901..... 269,507
1881..... 85,856	1892..... 399,880	1902..... 263,745
1882..... 134,701	1893..... 397,223	1903..... 256,510
1883..... 215,446	1894..... 369,083	1904..... 246,261
1884..... 273,168	1895..... 357,639	1905..... 232,455
1885..... 294,787	1896..... 340,610	1905..... 235,823
1886..... 323,571	1897..... 319,456	1906..... 229,932
1887..... 355,916	1898..... 305,603	1907.....
1888..... 372,960	1899..... 287,981	1908.....
1889..... 397,774		

DEATH RATE BY YEARS.

	No.	Pct.		No.	Pct.		No.	Pct.
1888.....	4,433	1.18	1896.....	7,293	2.21	1903.....	8,366	3.22
1889.....	4,696	1.18	1897.....	7,515	2.35	1904.....	9,029	3.60
1890.....	5,476	1.33	1898.....	8,383	2.41	1905.....	9,152	3.90
1891.....	5,965	1.46	1899.....	7,994	2.78	1905.....	9,205	3.90
1892.....	6,404	1.61	1900.....	7,790	2.80	1906.....	9,052	3.83
1893.....	7,002	1.78	1901.....	8,166	3.02	1907.....	....	....
1894.....	7,283	2.97	1902.....	8,299	3.08	1908.....	....	....
1895.....	7,368	2.06						

Grand Jury (STATE), a body of not fewer than twelve men nor more than twenty-three, selected according to statute, to inquire into charges of crime against persons within its jurisdiction. In nearly every State there is a Constitutional provision for grand juries, whether or not they are a part of the State's regular judicial machinery. In certain States a person charged with crime is given a hearing before a Justice of the Peace, i. e., in a Justice Court. Here the accused is given an opportunity to present a defense, if he so desires. In case the evidence against him is strong, the Justice binds him over for trial before the next term of the Circuit (County) Court. The preliminary hearing only can be had in the Justice Court, it having no jurisdiction in criminal cases beyond this point. Wherever such a system of first inquiry into the guilt or innocence of a person is provided, there the grand jury, as a regular institution, is unknown. However, if under the State Constitution there is

not a provision that Justice Courts shall make inquiry into criminal cases, as above outlined, a grand jury meets regularly, before each term of county court, to investigate all cases of a criminal nature. The grand jury hears evidence, having the power to subpoena witnesses and compel them to testify, but the inquiry differs from the preliminary examination in the Justice Court in that the accused is not given a hearing. If from the evidence presented to the jury by the State's Attorney (often termed Prosecuting Attorney) is deemed sufficient, a "true bill" is found, which binds the accused over to the coming term of court for trial. If the evidence is weak, a "no bill" liberates the accused.

Returning to the discussion of procedure in States under the Justice Court system, it may be said that occasionally grand juries are called for special purposes. It may be possible that county or city authorities are too lenient with certain classes of law-breakers and refuse to prosecute them, thus violating their oath of office. The County Prosecutor, in such case, may appeal to the Judge of the county court for a special jury to inquire into such charges, or the Judge, on his own initiative, may order an inquiry. The body entrusted with the task of probing the charges is a grand jury. It is drawn according to State laws, and upon completion of its labors makes suitable report to the court. Action follows in accordance with its recommendation.

The grand jury is so-called to distinguish it from the petit jury of twelve men provided in all States in criminal trials and in civil cases involving sums beyond the jurisdiction of Justice Courts.

Grand Jury (United States), a body of men, usually twenty-three in number, selected from within the counties included within a United States Judicial District, to inquire into all charges of violation of United States laws which may be brought to its notice by the District Attorney. Every State is divided into districts for the operation of the courts of the United States Government. Offenses against the nation's laws are punishable by the general Government, the State courts having no jurisdiction. Among the offenses coming within

the range of investigation are counterfeiting, robbery of the United States mails, and the like. Prior to each session of the United States District Court [q. v.], a grand jury is chosen from among the counties composing the district; from the time of meeting until its deliberations are ended the procedure is very similar to that of the grand jury serving under State laws, described under GRAND JURY (STATE).

Grand Larceny. See LARCENY.

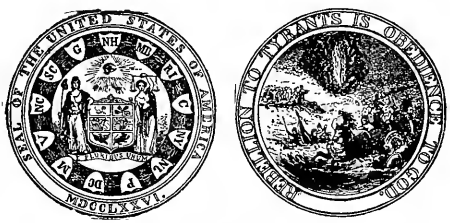
"Grand Model" Constitution. At the time of their settlement, about 1663 to 1698, the Carolinas were under a proprietary form of government. The owners held views respecting the control of their possessions which differed radically from any accepted theory of government, and they framed probably the most cumbrous and complex Constitution ever devised. The eminent philosopher, John Locke, was its author, under direction of the owners; so elated were the promoters over the document at its completion that it was called the "Grand Model." It was to stand forever, without alteration in any part. The avowed object of this unique Constitution was to grant as little power as possible to the people; control was to be perpetuated in the upper classes. A political and social pyramid was contemplated, the base of which was negro slaves, subject absolutely to the will of their masters. Next above the negroes were placed the white agricultural laborers, who corresponded to the serfs of old Feudal days. They were denied suffrage and even the privilege of leaving the estate on which they worked was forbidden, save by special permission. In such abject condition they and their children were to "remain to all generations." Just above these was a class of small landowners, gentry without titles of nobility, who were allowed to vote and were given some voice in legislation. Near the apex of the pyramid were the members of the nobility, holding vast estates, which descended "from father to son forever." Above these, and crowning the pyramid, were the members of a corporation of eight rich and titled Proprietors. The eldest Proprietor represented the King; the proprietary body was "self-renewing and immortal."

All laws were to be made by a parliament, consisting of the Proprietors, the nobility, and a small proportion of the land owners without titles. The power of absolute veto was held by the Proprietors. For more than twenty years a strenuous attempt was made to establish this Constitution as the fundamental law, but it received slight respect. Soon after its defects were conceded openly by the Proprietors the colony became a royal province.

Granger. A member of a local "grange" of the order of Patrons of Husbandry was called a Granger. See PATRONS OF HUSBANDRY.

Greasers. During the Mexican War, the United States soldiers called their adversaries Greasers. Our neighbors in the republic to the southwest have never been popular with citizens of this country, and the term, used at first in derision, is yet applied with the same significance.

Great Seal of the United States. On the same day that the thirteen colonies proclaimed themselves independent States, Benjamin Franklin, Thomas Jefferson and John Adams were named as a committee "to prepare a device for a Great Seal for the United States of America." In sixty days the committee reported, but the recommendations it made were laid on the table. The devices then suggested for obverse and reverse sides are shown in the illustration.

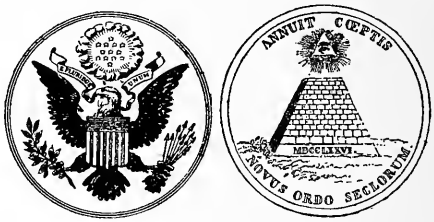


DESIGN SUBMITTED BY THE COMMITTEE APPOINTED JULY 4, 1776.

Much legislation followed on the subject, but it was not until 1782 that a seal was proposed which satisfied the leaders in the Congress. The device which then received official approval was succeeded by another in 1885, both sides of which are given in the second illustration. The olive branch and arrows denote the power of peace and war, exclusively vested in Congress, which body is typified in the eagle. The constella-

tion denotes a new State taking its place and rank among the others in the Union; the escutcheon is borne on the breast of the American eagle without any other supporters, to denote that the United States of America ought to rely on their own virtue. The pyramid on the reverse side signifies strength and duration. The eye over it and the motto refer to the many interpositions of Providence in favor of the American cause. The date is 1776, and the words under it signify the beginning of a new era, commencing at that time.

The use of a Great Seal is an inheritance from England. See SEAL.



DIE OF 1885.

Greenback, the name applied to one form of United States paper money which appeared during the Civil War and the period of reconstruction. The words on the bills were printed in green ink, which accounts for the origin of the term. These notes were issued on three different occasions, in lots of $150,000,000 each, with no redemptive feature and no security except the stability of the Government to pledge their value. Soon after the War the issue was withdrawn in part. The amount put in circulation was largely in excess of the needs of the time, and, in consequence, prices rose. By the act of March, 1878, the amount of greenbacks for permanent circulation was fixed at the amount then outstanding, nearly three hundred fifty million dollars. A "cheap money" party soon appeared in the West as a result of this financial policy. See GREENBACK PARTY.

Greenback Party. As a result of the over-issue of greenbacks [q. v.] by the Government during the Civil War and in the years immediately thereafter, money was "cheap" and prices correspondingly high. In 1874 a National political party was formed by "Greenbackers," as those favoring unlimited issues of this kind of currency were called, and quite naturally the name of the new political force was called the Greenback

party. For several years the farmers of the West had studied the financial situation to the best of their ability, as it applied to them. The demand for farm products by the Government during the War had been exceedingly profitable to the farmers, and for all produce sold they had been receiving greenbacks in payment. Their own debts, previously contracted, they paid in these same greenbacks, and quite naturally they looked upon money which could be issued in unlimited quantities as a certain cure for economic evils. The Greenback party held three National conventions and put Presidential tickets in the field, but secured no electoral votes. The platform of the party demanded the withdrawal of all bank currency and that only National currency be made legal tender; they asked, also, that interest on the public debt, although promised in gold, should be paid in paper money.

The party polled more than 300,000 votes, and gradually lost its identity in other minor parties which were called into existence from time to time in protest against other so-called abuses. See POLITICAL PARTIES IN THE UNITED STATES.

Gresham's Law is the dictum in currency discussions that "bad money drives out good money." To Sir Thomas Gresham, in 1560, is ascribed the responsibility for the following principle:

> "Where by legal enactment a Government assigns the same nominal value to two or more forms of circulatory medium whose intrinsic values differ, payments will always, so far as possible, be made in that medium of which the cost of production is least, the more valuable medium tending to disappear from circulation."

This statement has been vigorously attacked by many economists, and all the so-called authorities will doubtless never agree. In 1896, however, when one great political party in its National campaign proposed to establish a parity between gold and silver as money, it was demonstrated that owners of gold coin hoarded their supply and placed it again in circulation only when the proposed plan was defeated at the polls.

Guardian, a person having natural or legal authority over a minor, both as to his person and property. The natural guardian of an infant—the lawful name of a minor—is the male

parent; if he is dead or incapable of assuming the trust, then the mother is the recognized guardian. If a divorce separates the parents, then the parent to whom the child is given becomes its legally responsible guardian. In case of the death of both parents, the laws of every State provide that the Probate Court of the county in which the orphan resides shall appoint a responsible person to act as guardian until his charge becomes of age or until relieved by a court order. The guardian thus constituted must answer to the court for all acts in connection with the person and estate of his ward and must give bond for the faithful performance of his duty. In the discretion of the court, the latter formality may be waived.

H

Habeas Corpus, a Latin phrase meaning "you may have the body;" in Constitutional law, a legal writ issued by competent judicial authority, commanding an officer to bring at once before the court the body of a person detained by him and there declare publicly the cause for which said person is in custody. The writ of habeas corpus, in English history, in which country it originated, was the subjects' "writ of right," passed in 1679 "for better securing the liberty of the subjects." This act was next in importance in England to Magna Charta [q. v.]. It provided that if any person be imprisoned by order of any court, or of the King, he might demand a writ to bring him before the King's bench, which should determine whether his commitment was just. A prayer for this writ could not be denied, except in case of very unusual public disturbance, when only Parliament could order suspension of the right.

In the United States Constitution there is a provision (Article 1, Section 9, Clause 2) that "the privilege of the writ of habeas corpus shall not be suspended, unless when in cases of rebellion or invasion the public safety demands it." Just what authority may suspend the right is not declared, but in every case thus far in our history the Executive authority, in State or nation, as circumstances have demanded, has alone taken the responsibility. Congress may, by majority vote, suspend the writ; the same action may be taken by a State Legislature.

The object of the writ of habeas corpus is to safeguard a person from illegal imprisonment or even temporary detention. Either the person in custody or another acting for him may demand the writ. It cannot ordinarily be refused; the accused is forthwith brought into a court of record and is permitted to hear on what charge he is held. This gives him an opportunity to prepare a defense for use later in the trial of this charge, if it be considered serious enough to warrant further detention, or if the commitment is legal. If the party against whom the

writ issues is not able to show good reasons why he should further be held, or if it is clearly established that he is not held by due process of law, the court may order his release.

The writ may be of value to persons in civil cases, as well as in criminal procedure. The son of Mr. A contracts to serve Mr. B as a farm laborer. The father hears that the employer is cruel; the son would complain of his treatment to his family or friends, but cannot reach them in person or by messenger. The father is refused an audience with Mr. B, which fact would seem to confirm the rumors. To arrest Mr. B for cruelty might bring upon Mr. A dire consequences if the charge could not be proved. What is needed in such a case is a force which will afford relief, if any is needed, without prejudice to the complainant if his complaint be not well founded. A writ of habeas corpus would bring Mr. B and Mr. A's son before the court, where the facts could readily be established.

An application for a writ must be accompanied by an affidavit declaring that the detention is in the opinion of the applicant contrary to law, and it must clearly set forth all the facts in the case, so far as they have been established.

Hague Tribunal. Under conditions guaranteeing safety, the rulers of many leading nations of the world would consent to a reduction of their respective armaments and decrease their military expenditures to an amount far below that deemed necessary at present. To secure a discussion of a general peace movement, the Czar of Russia asked the leading nations to send representatives to a peace conference at The Hague in 1899, to discuss the general question of reduction of armaments. But little was accomplished at this meeting, and in 1905, a second peace conference at the same place was held. Results from this were not much more satisfactory, although some progress was made. The general project met with so great favor that Mr. Andrew Carnegie offered to make an appropriation from his personal fortune for the purpose of erecting a permanent peace building at The Hague, in which future sessions of conferences having for their object the peace of the world could be held. A third meeting was held in 1907, at

which delegates from all leading nations were present. The principal obstacle thus far in the development of the scheme for universal peace and cessation of war seems to be the secret suspicion with which each European nation views its neighbor. Doubtless ways and means will be found within a very few years of bringing all of the contending interests together on such a basis that international arbitration will be an assured fact rather than an ideal condition. Reduction of armament will naturally follow. See ARBITRATION; INTERNATIONAL ARBITRATION.

Hail Columbia, a song intimately connected with our National life; next to "America" it may be called the national air of the United States. The words were written during the administration of John Adams, by Judge Joseph Hopkinson, and the air was composed in honor of George Washington. It was originally called the "President's March," but very soon took the name of the opening words of the first stanza.

Half=Breeds. See STALWARTS.

Hard Cider Campaign. It is a matter of history that Americans delight to honor those statesmen who from humble origin have risen to places of great usefulness. In the Presidential campaign of 1840 the political opponents of General William Henry Harrison, the candidate of the Whig party, tried to belittle his candidacy by declaring he had lived in a log cabin with nothing to drink but hard cider. Harrison's adherents claimed these to be facts greatly to his credit, and at once adopted "hard cider" and "log cabin" as campaign cries. The General had won a great victory in the Indian wars at Tippecanoe, and this feat was heralded throughout the campaign in the shout for "Tippecanoe and Tyler, too." The three issues developed as lively a situation as any other campaign up to Civil War times.

Hard Money, a colloquial expression, limited to the United States. It refers to coins of gold and silver, as distinguished from soft, or paper, money.

Hartford Convention. The New England States were much opposed to the War of 1812 because it greatly impaired

their commerce and seemed to them an unjustifiable war of aggression. Consequently, they refused to send militia in response to the call of the general Government and would take no active part in military operations, although they made no resistance to the recruiting of volunteers within their boundaries. They claimed that according to the Constitution there was no reason for sending militia outside of the several States. The Government was not empowered to force compliance, but it withdrew garrisons and did not furnish the States with their quota of war supplies. Threatened by submission to the British and dominated by the principles of the Federalist party, the New England States held a convention at Hartford, December 15, 1814, the purpose of which was to consider proper means of defense for the unprotected States and also an amendment to the Constitution. A three weeks' session was held, the results of which were published in a document that was to be submitted to Congress. Those who had looked for secession were disappointed. Amendment of the Constitution which would limit the power of Congress to declare war and admit States and change the basis of slave representation were recommended. It was proposed, also, that a part of the National customs duties collected in each State be given over to that State to help defray the expense of defense. The general purport of the document, though not directly expressed, was that secession was imminent if these demands were not favorably considered. The convention was of little avail, for by the time its representatives had been sent to submit its report to Congress the war had ended.

Health, Board of, an administrative department of city and village Governments, organized for the regulation of local sanitary conditions. Its chief duty is to prevent the spread of contageous diseases and to this end it is given certain police powers. Also the jurisdiction of a board of health may extend to such matters as the regulation of quarantine [q. v.], the investigation of food adulteration, the suppression of public nuisances, the drainage of marshes and the destruction of the germ-infecting mosquito. The chief officer of this department

of a city Government is usually styled the Commissioner of Health; he is appointed by the Mayor, with the approval of the board of aldermen; in a village he is called the Health Officer, is appointed by the village President and confirmed by the common council, or board of trustees.

High License. This is a term used in connection with legalizing the liquor trade, by which police powers of the State are able to exercise control of the traffic. No other economic question arouses more bitter controversies, and no other is fortified with such financial strength, on the one side, to oppose legislation inimical to its interests.

It is conceded that a business such as the selling of liquor should be under control of the laws; the reasons are too obvious to need discussion. Any business requiring regulation is licensed by the municipality in which it seeks patronage. The license is a permit to do business, under certain stated conditions. In connection with liquor the question of high license or low license is constantly being argued. The advocates of a high license base their pleas on the alleged fact that if saloon-keeping is made expensive by heavy annual assessment, the low, law-defying places, will be driven from business and much crime will therefore be checked. The low license advocates claim that a very moderate annual fee will serve all purposes of regulation, and insist that a high license will give advantage to the few who can afford to pay it and deprive of business privileges many who are fully as worthy. A great question of morality is also involved.

The average liquor license costs $500 annually; a license is oftentimes as low as $150 per year, while the fee is in many places from $1,000 to $3,000. See Local Option; Prohibition.

High Seas. Every nation owns and controls the sea washing its shores to a distance of three miles from the shore line. Beyond that point the sea is the common property of all peoples, and no one nation has rights and privileges thereon greater than those enjoyed by any other nation. The ocean beyond the three-mile limit is called the high seas.

Highway. A specified road, dedicated and on public record as a line of travel, is a highway. While theoretically every owner of real estate bordering on a public road owns to the middle of said road, he may not place obstructions against free traffic along his property. Oftentimes farmers will plow the space at the side of the narrow wagon path of a country road and raise crops thereon, but under the law they have no right to do so.

If an alley or lane which is the private property of a person is left freely open to traffic continuously for a certain number of years, varying in different States from thirteen to twenty, the owner must then dedicate it as a highway; he cannot close it to the public after that length of time, if there be a single objector. Dedication consists of any act by which the owner of land gives consent to its use by the public; the act may be inferred from long or general use without interruption or objection.

Holidays, Legal. See Legal Holidays.

Home Department. In 1849 Congress created a new division of the Executive Department of the Government, to deal with internal affairs of the country. It was at first called the Home Department, but soon the name was changed to Department of the Interior [q. v.].

Homestead. As a noun the word means, a house and adjacent land occupied by the owner and his family as a place of permanent abode; rarely would either the house or the land separately be so called. As a verb the term implies, to enter and make record of certain land as a family homestead. See Homestead Laws.

Homesteader. One who holds land acquired under the Homestead Act of Congress.

Homestead Laws. There are in operation in the United States two classes of homestead laws (see Homestead). The most common are the laws of Congress, for the purpose of enabling citizens to obtain homes under favorable conditions and thus contribute to the settlement of the country; the other is represented by State laws, whose object is to make as per-

manent as possible a citizen's possession of his home. The main provisions of our homestead laws follow:

Any person who is the head of a family, or who is 21 years old and is a citizen of the United States or has filed his declaration of intention to become such, and who is not the proprietor of more than 160 acres of land in any State or Territory, is entitled to enter one-quarter section (160 acres) or less quantity of unappropriated public land under the homestead laws The applicant must make affidavit that he is entitled to the privileges of the homestead act and that the entry is made for his exclusive use and for actual settlement and cultivation, and must pay the legal fee and that part of the commission required, as follows: Fee for 160 acres, $10; commission, $4 to $12. Fee for eighty acres, $5; commission, $2 to $6. Within six months from the date of entry the settler must take up his residence upon the land and cultivate the same for five years continuously. At the expiration of this period, or within two years thereafter, proof of residence and cultivation must be established by four witnesses. The proof of settlement, with the certificate of the register of the land office, is forwarded to the general land office at Washington, from which a patent is issued. Final proof cannot be made until the expiration of five years from date of entry, and must be made within seven years. The Government recognizes no sale of a homestead claim. After the expiration of fourteen months from date of entry the law allows the homesteader to secure title to the tract, if so desired, by paying for it in cash and making proof of settlement, residence and cultivation for that period. The law allows only one homestead privilege to any one person.

Home Valuation. Usually tariff levies are based upon the value of the imports in the country from which shipment is made, at the market price at the time of shipment. Only once in our tariff legislation has a schedule provided for valuations based upon prices in our own country, called home valuation, and that was the tariff of 1833. See FOREIGN VALUATIONS; CUSTOMS DUTIES

Homicide is the killing of any human being by another. It includes murder and manslaughter. Homicide includes both intentional and unintentional killing. It is justifiable when committed by an officer in the discharge of his duty, or by any one aiding an officer in time of need; also justifiable when committed by any person to prevent a serious crime; homicide is excusable when committed accidentally or in self-defense. It is felonous and subject to punishment when committed maliciously. See MURDER; MANSLAUGHTER.

House of Representatives. In the Congress of the United States and in the Legislatures of the several States of the Union, the House numerically strongest and standing in closest relation to the people, who choose its members by direct vote, is called the House of Representatives. Frequently it is referred to as the "lower House," in striking contrast to the Senate, a body of fewer members and, in some matters, of greater powers and responsibilities. The Senate and House of Representatives together compose the law-making branch of the Nation or the State.

United States. The House of Representatives is composed of members elected by the people of the States for terms of two years. There is no limit upon the number of successive terms in office to which a member is eligible. His incumbency is limited only by his ability to secure nomination and election. The number of members the House of Representatives shall contain, and consequently the number each State is privileged to elect, is decided by the House itself, once in ten years, as soon as possible after the completion of the population statistics of each Federal census. After the House determines the number of its members for any ten-year period, the ratio of representation is found by dividing the population of all the States by this number; the quotient represents the number of people who are entitled to one Representative. Dividing this ratio into the population of any State, the number of Representatives that State is entitled to send to Congress is found. The State then proceeds to divide its territory into districts, as many districts being provided as its allotment of members of Congress, so all parts of the State may be represented in its Congressional delegation. It is not a legal necessity that this division into districts be made, so far as the attitude of Congress is concerned. It would satisfy every qualification as to residence if all of the State's delegation were from the same section or the same city. Even with the district formation it would be legal if the voters of any district were to choose as their Representative a resident of some remote part of the State. Of course, this is never done; each district is always

able to furnish suitable men for the halls of the lower branch of Congress, thus retaining its local representation in Washington.

The membership of the House of Representatives since the foundation of the Government is given below:

Period	Number of Members.	Ratio of Population.	Period	Number of Members.	Ratio o Population.
1789–1793	65	.....	1853–1863	234	93,423
1793–1803	105	33,000	1863–1873	241	127,381
1803–1813	141	33,000	1873–1883	292	131,425
1813–1823	181	35,000	1883–1893	325	151,911
1823–1833	212	40,000	1893–1903	356	173,901
1833–1843	240	47,700	1903–1913	386	194,182
1843–1853	223	70,680	1913–1923	...	.....

If during a decade a new State is admitted, the whole number is increased by that State's allotment.

Members of the House of Representatives are chosen every two years, in November, on the even years. They cannot at once assume the duties of office, for the men whom they succeed are yet in service; the short session [q. v.] of each Congress convenes within a month of the election, and the old members, elected two years before, serve until the succeeding fourth day of March, when their terms expire. On this same day the members chosen four months previously assume office. But even at this time they seldom enter actively upon their work, because between the adjournment of a Congress sine die on March 4th and the opening of the next Congress several months elapse. Only an extra session of Congress will bring them actively to work before December. On the first Monday in December, the new law-makers assemble in their first regular session, thirteen months after their election. This long period between election and the meeting of Congress was necessary in the early days of our history; many months were required for some members to reach the capital city after their election. The only advantage today from the long interval is that after thirteen months of waiting a new member is likely to have a maturer view of matters upon which he will be called to vote;

he is almost sure to have also a deeper feeling of responsibility for his acts.

The powers and duties of members of Congress, both in House and Senate, are described in Article I, Section 8, of the Constitution. Each Senator and Representative is given a private secretary and an office room in a large building erected especially for the workrooms of members; each member is paid a salary of $7,500 per year, a mileage of ten cents per mile in journeying to the capital at the beginning of each session of Congress and the same mileage in returning home at its close; the sum of $125 is also allotted each member for postage and stationery during his term.

Freedom from Arrest. Unusual privileges are accorded a Representative in the discharge of his official duties. He is free from arrest for any except indictable offenses; that is, he is not held legally responsible to any person for what he may utter in debate, and he cannot be prevented from attendance upon sessions of the House by reason of charges which would compel his presence in a court of justice, except he be held to answer for a serious crime. This general privilege secures exemption for Representatives from service on juries or as witnesses in courts at any time when such service would conflict with their official duties.

State. In the State Legislature the House of Representatives is the "lower House," as in Congress. Its members are chosen from Representative Districts, into which the State has been divided by previous Legislative act. The number of Representatives in the House is decreed by the State Constitution, but salaries are fixed by vote of the members themselves. In the different States the number of State Representatives varies from fifty to one hundred fifty, and compensation from $3 per day for actual attendance upon sessions of the Legislature to $1,000 or more per year.

The duties and powers of State Representatives are set forth in State Constitutions. See CONGRESS.

Hunkers, a name derived from the slang word *hunk,* meaning *home,* the original being the Dutch *honk.* The

Hunkers were a branch of the Democratic party of New York State, of conservative tendencies, about 1844. They clung to old principles as tenaciously as they did to their old homesteads, and strongly opposed the so-called Young Democracy, or Barnburners [q. v.].

I

Idaho. There were but few settlements in what is now Idaho previous to its organization as a Territory in 1863. It then included Montana, which was separated in 1864, and Wyoming, which was taken from it in 1869. The discovery of gold in 1882 increased Idaho's population and led to its admission as the forty-third State in 1890.

Government. Idaho has had but one Constitution, that adopted in 1889 as a preliminary step towards admission to the Union. The Constitution may be amended only by vote of two-thirds of all members of the Legislature and ratification by referendum vote of a majority of the electors of the State. The right of suffrage is granted to all registered citizens over twenty-one years of age, without regard to sex. This is one of four States which give women equal voting rights with men.

STATE SEAL OF IDAHO.

The Legislature consists of a Senate of not more than twenty-four members and a House of Representatives limited to sixty members, all chosen from districts consisting of one or more counties, for terms of two years. Sessions of the Legislature are regularly held every two years, but may be convened oftener by the Governor. Compensation of mem bers is $5 per day, for not more than sixty days of each session, and $100 for each special session. To the above items is added mileage. The Executive Department consists of a Governor, Lieutenant-Governor, Secretary of State, Auditor, Treasurer, Attorney-General and Superintendent of Public Instruction. These officers are all chosen for terms of two years. Subordinate officers are appointed by the Governor, with the consent of the Senate. Bills may be passed over the Governor's veto by two-thirds of the members of the Legislature present. The Judicial Department is vested in a Supreme Court, con-

sisting of three judges, chosen for six years; in five District Courts, each presided over by a Judge, chosen for four years, who must hold two sessions at least in each county of his District every year. There are also Probate Courts and Justice Courts.

Illinois. Illinois was at first French territory, due to the exploration of La Salle, Marquette and Joliet, between 1671 and 1750. The treaty closing the Intercolonial Wars, in 1763, gave the territory to the English, but it did not fall to their actual possession until 1765. In 1783 it was ceded to the United States, and after the Ordinance of 1787 was passed it formed a part of Northwest Territory. The present State of Illinois formed a part of Indiana Territory from 1800 to 1809, at which date it was organized as Illinois Territory. In 1819 it became the twenty-first State of the Union.

STATE SEAL OF ILLINOIS.

Government. The present Constitution is the third in the history of the State, and was adopted in 1870. It may be amended by two-thirds' vote of each House of the General Assembly, with subsequent ratification by the people. Any male citizen of the United States may vote at elections who has resided one year in the State, ninety days in the county and thirty days in his election precinct; women may vote at all local school elections and for trustees of the State University. The General Assembly is composed of thirty-one Senators, chosen for four years, one-half of whom retire every two years, and a House of Representatives of one hundred fifty-three members, elected for two years. The salary of members of the assembly is $1,000 for each regular session. The Executive Department consists of a Governor, Lieutenant-Governor, Secretary of State, Auditor, Attorney-General and Superintendent of Public Instruction, all chosen for four years, and a State Treasurer, whose term is two years. A two-thirds' vote of each House is required to pass a bill over the Governor's

veto. The Judicial Department consists of a Supreme Court of seven Justices, chosen from districts, for terms of nine years; four Appellate Courts and Circuit Courts, presided over by Judges chosen for six years; each Circuit Judge must hold court in each county embraced within his Circuit at least twice each year. There are special courts for Cook County.

Immigrant. A person leaving his native land to take up permanent residence in a foreign country is an immigrant. This word and the word emigrant are used nearly always as synonymous terms, but they are not exactly alike. See EMIGRANT.

Immigration is the entrance into a country of settlers from a foreign land. Before 1820 there was no official record kept of the entrance of immigrants into the United States. Up to that date from the beginning of the Revolutionary War it is believed that the immigrants numbered a quarter of a million.

The United States receives by far the greatest percentage of immigration from all countries in the world. Australia and Western Canada are favored by many seekers for homes in a new country, but probably ninety-five per cent are attracted to "America," their term which signifies the United States.

The flood of immigration to this country since 1871 is given below, the years ending on June 30:

1871. . .	321,350	1879. . .	177,826	1887. . .	490,109	1895. . .	258,536
1872. . .	404,806	1880. . .	457,257	1888. . .	546,889	1896. . .	343,267
1873. . .	459,803	1881. . .	669,431	1889. . .	444,427	1897. . .	230,832
1874. . .	313,339	1882. . .	788,992	1890. . .	455,302	1898. . .	229,299
1875. . .	227,498	1883. . .	603,322	1891. . .	560,319	1899. . .	311,715
1876. . .	169,986	1884. . .	518,592	1892. . .	623,084	1900. . .	448,572
1877. . .	141,857	1885. . .	395,346	1893. . .	502,917	1901. . .	487,918
1878. . .	138,469	1886. . .	334,203	1894. . .	285,631	1902. . .	648,743
1903. . .	857,046						
1904. . .	815,361						
1905. .	1,026,490						
1906. .	1,100,735						
1907. .	1,285,349						
1908.							
1909.							
1910.							

The following table for the year ending June 30, 1907, is typical of the average year, and shows from what countries our new citizens come:

Country	1907.		
	Male.	Female.	Total.
Austria.	100,899	44,093	144,992
Hungary.	145,338	48,122	193,460
Belgium.	4,383	2,013	6,396
Bulgaria, Servia, Montenegro.	11,165	194	11,359
Denmark.	4,690	2,553	7,243
France.	5,848	3,883	9,731

Country.	1907.		
	Male.	Female.	Total.
German Empire	22,000	15,807	37,807
Greece	35,151	1,429	36,580
Italy	224,598	61,133	285,731
Netherlands	4,220	2,417	6,637
Norway	14,376	7,757	22,133
Portugal	5,788	3,820	9,608
Roumania	2,299	2,085	4,384
Russian Empire and Finland	169,786	89,157	258,943
Spain	4,132	1,652	5,784
Sweden	12,311	8,278	20,589
Switzerland	2,429	1,319	3,748
Turkey in Europe	20,173	594	20,767
United Kingdom—England	35,449	21,188	56,637
Ireland	19,027	15,503	34,530
Scotland	12,750	6,990	19,740
Wales	1,747	913	2,660
Europe, not specified	75	32	107
Total Europe	858,634	340,932	1,199,566
Chinese Empire	864	97	961
Japan	27,240	2,986	30,226
India	869	29	898
Turkey in Asia	6,132	1,921	8,053
Other Asia	324	62	386
Total Asia	35,429	5,095	40,524
Africa	1,239	247	1,486
Australia, Tasmania, New Zealand	1,562	385	1,947
Pacific Islands, not specified	27	15	42
British North America	17,691	2,227	19,918
British Honduras	17	18	35
Central America	728	207	935
Mexico	1,229	177	1,406
South America	2,074	705	2,779
West Indies	11,328	5,361	16,689
Other countries	18	4	22
Grand total	929,976	355,373	1,285,349

The immigration law as revised by the 59th Congress provides for a poll tax of $4 for every alien entering the United States. This tax is not levied upon aliens who shall enter the United States after an uninterrupted residence of at least one year, immediately preceding such entrance, in Canada, Newfoundland, Cuba or Mexico, nor upon aliens in transit through the United States, nor upon aliens arriving in Guam, Porto Rico or Hawaii. The money collected from poll taxes is to go into the Treasury and constitute a permanent appropriation for defraying the expenses of regulating immigration.

The following classes are excluded from admission into the United States: All idiots, imbeciles, feeble-minded persons, epileptics, insane persons and persons who have been insane within five years; persons who have had two or more attacks of insanity at any time previously; paupers; persons likely to become public charges; professional beggars; persons afflicted with tuberculosis or with a loathsome or dangerous contagious disease; persons who have committed a felony or other crime involving moral turpitude; polygamists or persons who believe in the practice of

polygamy; anarchists or persons who believe in or advocate the overthrow by force or violence of the Government of the United States, or of all Governments, or of all forms of law, or the assassination of public officials; prostitutes, or women and girls coming into the United States for any immoral purpose; contract laborers who have been induced to migrate to this country by offers of employment or in consequence of agreements of any kind, verbal or written, express or implied, to perform labor in this country of any kind, skilled or unskilled; any person whose ticket or passage is paid for with the money of another, or who is assisted by others to come, unless it is satisfactorily shown that such person does not belong to one of the foregoing excluded classes and that said ticket or passage was not paid for by any corporation, society, municipality or foreign Government, directly or indirectly; all children under 16 years of age unaccompanied by one or both of their parents, at the discretion of the Secretary of Commerce and Labor. Nothing in the act shall exclude, if otherwise admissible, persons convicted of an offense purely political, not involving moral turpitude. Skilled labor may be imported if labor of like kind unemployed cannot be found in this country. The provisions of the law applicable to contract labor shall not be held to exclude professional actors, artists, lecturers, singers, clergymen, professors for colleges or seminaries, persons belonging to any recognized learned profession or persons employed strictly as personal or domestic servants.

It is unlawful to assist or encourage the importation or migration of any alien by promise of employment through advertisements printed in any foreign country. This, however, does not apply to States or Territories advertising the inducements they offer to immigration thereto.

All aliens brought to this country in violation of law shall be immediately sent back to the owners of the vessels bringing them. Any alien entering the United States in violation of law, and such as become public charges from causes existing prior to their landing, shall be deported at any time within three years after their arrival.

Impeachment. A legislative act imputing improper conduct on the part of an officer of the Government and calling him to a defense before the proper tribunal is called impeachment. A man who is impeached is not necessarily guilty of the act or acts alleged against him; the impeachment is simply the accusation, presented in legal form. In the case of an officer of the United States Government, the impeachment must be voted by the House of Representatives; the Senate of the United States becomes a high court, with Senators as jurors and the Vice-President, except when the President is impeached, as presiding officer. Should the President be impeached, the Vice-President,

who would become President in case of a vacancy in the higher office, would possibly not prove an impartial trial judge, and an unfair hearing might result. To avoid such a condition, the Constitution, in Article I, Section 3, Clause 6, provides that whenever it becomes necessary to try the President, the Chief Justice of the Supreme Court shall preside. The Senate, however, is always the jury in any impeachment case. Conviction is possible only by affirmative vote of two-thirds of the Senators present when the vote is taken; two-thirds' vote of the entire Senate membership is not required.

An impeachment trial does not endeavor to fix a criminal punishment upon the accused if he is found guilty; the Senate's judgment cannot extend farther than removal from office and disqualification to hold any other office of honor, profit or trust under the United States. The whole procedure is conducted solely to the end that the public service may be relieved of dishonest officials. The ordinary machinery of the law may thereafter be employed to bring to justice anyone removed from his office by impeachment proceedings. This later procedure is not contrary to either the letter or the spirit of Amendment V, which states, "nor shall any person be subject for the same offense to be twice put in jeopardy of life or limb." The impeachment trial simply ascertains a person's fitness to be longer a public servant; the accused before the bar of the Senate is in no danger of imprisonment, nor is he in the shadow of the death penalty, no matter how serious his crime. Therefore, when later State laws may be invoked against his deed, he cannot plead former jeopardy of life or limb.

Only seven times in our history have articles of impeachment been voted by the United States House of Representatives:

[1] Senator William Blount of Tennessee was impeached in 1798 for engaging during the previous year, while Governor of his State, in a scheme for transferring forcibly from Spain to Great Britain the Territory of the Lower Mississippi. The defense was that Senator Blount was not a "civil officer" and consequently was not liable to impeachment. The Senate upheld this view of the case and the accused was acquitted.

[2] Judge John Pickering of New Hampshire was impeached in March, 1803, for drunkenness and profanity on the bench, and for un-

lawful decisions. He was convicted on all counts and was removed from office.

[3] For reflecting on the Government and for injudicious actions and decisions in several political trials, Associate Justice of the Supreme Court, Samuel Chase, appointed from Maryland, was impeached in 1804. The trial occurred in January, 1805. On some of the articles of impeachment a majority of the Senators were in his favor; on others the majority were opposed to him. The prosecution could muster but nineteen votes on its strongest charge, while his friends were able to command fifteen. He was therefore acquitted and retained his position until his death.

[4] United States District Judge James H. Peck of Missouri was impeached in December, 1830, for arbitrary conduct while trying a case. He was pronounced guiltless.

[5] United States District Judge W. H. Humphries of Tennessee fought in the Civil War on the Confederate side and refused in the meantime to resign his Judicial office. For this latter omission he was impeached and convicted in 1862, by a unanimous vote of the Senate.

[6] The most conspicuous official of the Government who ever faced impeachment proceedings was Andrew Johnson, President of the United States. He sharply disputed with Congress the right to dismiss members of his Cabinet in defiance of an act of Congress known as the Tenure of Office Act. This act had been vetoed by the President but it was passed over his veto. Secretary of War Stanton objected to lending assistance to Johnson in his scheme of reconstruction, and the President suspended him. When the Senate met, Johnson laid before that body his reasons for the act, but the Senators refused to sanction the removal and subsequent appointment of Grant as Stanton's successor; the latter, therefore, resumed his office. Within a short time Johnson again removed Stanton and appointed General Thomas in his place. The Senate passed a resolution supporting Stanton, and he refused to vacate his office. The House of Representatives on February 24, 1868, adopted a resolution for impeachment of Johnson by a vote of 126 yeas, 47 nays, 17 not voting. The articles of impeachment were eleven in number; in effect they charged that the President had violated the Tenure of Office Act by removing Stanton and appointing Thomas; that he had been guilty of intimidation of the former, and also of an attempt to seize unlawfully the property and money of the War Department, which was in Stanton's charge; that he had declared the Thirty-ninth Congress an illegally constituted body; lastly, that he had failed properly to execute the acts passed by that Congress. By Constitutional provision, Chief Justice Chase presided at the trial, which began March 30th. It was finished April 20th and from that date to May 6th counsel for both sides presented their arguments. On May 16th a vote was taken on Johnson's declaration of the Constitutionality of the Thirty-ninth Congress and his attempt to prevent the

enforcement of its acts. The vote lacked one of a sufficient number to convict. On May 26th the second vote was taken on the legality of the Thomas appointment; the result was the same as at first. No further vote was taken, and upon the suggestion of Chief Justice Chase a verdict of acquittal was entered.

[7] In March, 1876, by unanimous vote the House impeached Secretary of War Belknap for having received at various times nearly $25,000 for appointing and retaining in office a post-trader at Fort Sill, Indian Territory. Only a few hours preceding the impeachment he resigned his office. On April 4th, the articles of impeachment were presented to the Senate, but Belknap claimed that as he was no longer a civil officer, he was not subject to trial. The Senate debated this question a month and decided that it had jurisdiction regardless of the resignation. The necessary two-thirds of the Senators would not vote to convict, and Belknap was acquitted.

In States of the Union the proceedings in impeachment cases is practically the same as in the United States Government service. The House of Representatives brings the charges, and the Senate tries the accused; when the Governor is under impeachment, the Chief Justice of the State Supreme Court presides at the inquiry. See CENSURE OF THE PRESIDENT.

Imperialism, in its historic sense, is a term used to designate the policy of a Government in control of an absolute monarch. Today it is associated with the desire of many countries to acquire foreign provinces as dependencies. In the United States Government the acquisition of alien land was never a part of our policy, and up to 1898 we rigidly adhered to our principle of "splendid isolation" and non-interference with the affairs of the rest of the world. The Spanish-American War was forced upon us as an act of humanity to the Cubans, and its consequences were far-reaching. We captured the Philippine Islands from Spain and took Porto Rico. In the Treaty of Paris these possessions we retained, much against the better judgment of a considerable number of the people of the United States. Those who favored retaining what came to us through means so obviously fair were called by their opponents "imperialists," and the dominant political party (Republican) was charged with imperialistic tendencies. Whether the United States shall permanently continue to wield

sovereign power in our insular possessions has not been definitely determined at this date (1908); the political party opposed to the administration under which they were secured favors selling both Porto Rico and the Philippines; if the Democratic party wins at the polls in a National election this policy will be vigorously discussed, and a decisive vote reached. In the end the United States would accept "imperialism," with all its intricate problems of statecraft, or retire from participation in one of the greatest of world questions—that of guaranteeing good government to those unable to govern themselves. See Treaty With Spain.

Imports, a name derived from its verb, import, meaning, to bring from a foreign country into one's own country. Imports, then, are goods purchased in a foreign country and brought to our country to be sold for profit or used personally by the importer for his own comfort or pleasure. It is customary to levy a tax upon imports, called a duty, or customs duty. Another name for this tax is impost. See Customs Duties.

Impost. An impost is a duty levied upon goods of foreign manufacture which are brought into this country either to be sold for profit or intended for the personal use of the importer. The word is synonymous with customs duty; it differs from an excise tax in that the latter is a tax upon goods of domestic manufacture. See Excise; Customs Duties.

Impressment. The act of seizing private property for public uses or the act of forcing a person into public service is termed impressment. To students of history and civics the word most frequently recalls the act on the part of Great Britain which was one of the causes of the second war for independence, namely, the impressment of American seamen. It was a tenet of English rule that if a man was once an Englishman he was always such; he could not forswear his allegiance and join his fortunes to another country. To harass our commerce and assert its imperial sway on the sea English war vessels stopped many American merchantmen and searched them for alleged subjects of the King who might be serving under American banners. Many were seized in these raids who had never seen

England. Protests of the American Government were of no avail and the abuse was not halted until our second victory over the mother country, in 1812–1815. The question of impressment was not mentioned in the treaty closing the war, but the practice was not continued, and today Great Britain recognizes the right of an Englishman to become a citizen of any other country of his choice.

Imprisonment for Debt. In nearly every country of the world its laws, at different periods of history, have punished by imprisonment those citizens or subjects who were unable or unwilling to pay their debts. England possibly presents the most notable example; it is there the custom is declared to have originated, and the ablest British writers of fiction have given graphic pen pictures of the distress attending the execution of debtor's statutes. The United States early sanctioned the custom, borrowed from the mother country. As late as 1829 there were in the prisons of Massachusetts 3,000 debtors; in New York, 9,000; in Pennsylvania, 7,000; and smaller numbers in other States. In 1834 laws were passed by which imprisonment for debt was abolished in this country, but they were not fully enforced until nearly 1840. A single instance of the folly of such a statute, solely from the standpoint of public policy, is the following, from the records of the State of Pennsylvania: During the year 1828 there were 1,088 debtors imprisoned in the city of Philadelphia. The total amount of their debts was $25,409; the expense to the city of keeping them in jail was over $362,000, and of the amount owed by the unfortunates, only $295 was paid during the year.

Inalienable Rights. All free people zealously guard every right and privilege which they and their ancestry have secured from overlords during centuries of struggle towards emancipation. The Constitution of the United States, in its original form, did not mention specifically the rights of the masses of the people, and it was feared by many that the way was left open for a strong man or faction to usurp authority and deprive them of some of their dearly purchased independence. Pressure was brought to bear upon the First Congress to remedy this

defect, and ten of the Amendments were adopted in 1790. These are popularly called the "American Bill of Rights," and include some of those rights of which a free people cannot be deprived. Among the inalienable rights of Americans are the right to be secure in the possession of their lawful property; to be free from unlawful searches and seizures; to enjoy the privilege of free speech and of a free press and the right of petition. If any of these are violated, it is the duty of the Government to restore them speedily. Thus they become rights which are "inalienable."

Inaugural Address. Every President of the United States, as he enters upon the duties of his office, outlines his policy in a public address. There is no legal necessity for such an announcement of Executive opinion, but the custom was established at the time of Washington's first inauguration. A new President is inaugurated at noon on the fourth of March of every fourth year, in view of thousands of his countrymen, on the grounds of the National Capitol. He turns from the Chief Justice of the United States, who usually administers the oath of office, and, facing the masses of witnesses, delivers his address. The occasion is always notable, for the new Executive outlines the policy it is expected his administration will pursue.

Washington's first inaugural address contained 1,300 words; his second, only 134 words. Possibly the most important ever delivered on one of these occasions was Lincoln's first inaugural, when the issues of peace and war were challenging the attention of the world. On the day Lincoln took the oath of office his address consisted of 3,588 words; at his second inaugural, at the conclusion of a gigantic civil struggle, it was 3,000 words shorter, but was a masterpiece of oratory. The personal pronoun "I" was uttered but once in this second address, a record only equaled by President Arthur later in his inaugural of 431 words. President Fillmore, of all our Chief Executives, is the only one who did not prepare and deliver an inaugural address; he did not deem the formality necessary, in view of the manner in which he assumed office.

Income Tax, a tax levied upon the incomes or profits of citizens or subjects for the support of the Government. Such taxes are levied regularly in Great Britain, but have been resorted to only once in the United States. Such a tax is always unpopular, but in the days of the Civil War and during reconstruction, people submitted to such a means of raising revenue with fairly good grace. An act passed in 1861 created an income tax of three per cent on incomes of $800 and upwards. The rate and minimum income subject to taxation were changed two or three times before 1872, when the tax was abolished. The total collections during the years the law was in force were almost $350,000,000.

A more recent effort has been made to raise revenue by means of such a tax. In 1894 an income tax law was passed, but it was declared unconstitutional because of defects in the proposed manner of making collections.

Incorporation, the act of joining together as one person for public or private purposes. An incorporation, defined in briefest form, is a fictitious person—an artificial body. If a very large number of persons employ their united capital to conduct an enterprise of great magnitude, it is manifestly impossible for all of them to take part in the management of the enterprise. In such cases these persons may organize a company, as provided under special laws, said company being considered under the law as a single individual, with certain rights and privileges. This company, called a corporation, acts always as a single individual; it may sue and may be sued; it may do anything within legal bounds to advance its business interests. The partners in this corporation hold certificates, called shares, which represent their investments. Each stockholder is entitled to vote for directors, the strength of his vote being determined by the number of shares he owns. The directors manage the daily affairs of the corporation, and are responsible to the shareholders.

Every city and many villages are incorporations in a sense exactly like the great private corporations referred to above. The people of a municipality secure consent from the State

authorities to form a business organization for the purposes of self-government within certain territorial limits. Each resident within the prescribed area is virtually a shareholder in the enterprise, and at elections he helps to elect directors, called city or village officers, to manage judiciously and economically the business of government so that the best interests of the people are served. The city or village corporation before the law is just as important as any corporation organized for private business purposes, but in no sense more influential. The public corporation can sue and may be sued; when its rights and the rights of the private corporation are in dispute, the public enterprise, regardless of the fact that it represents the general public, enjoys no advantage before the courts that is not accorded its less prominent opponent.

All incorporations, of whatever kind, are under control, both as regards what they may do and the manner in which they may do it. The written authority under which they operate is called a charter, and this they cannot dispense with, neither can they alter it, except as provided by law. See CITY; VILLAGE.

Indenture. An instrument of contract, under seal, executed in duplicate between two parties, each party retaining a copy, is called an indenture. The origin of the word as here defined is as follows: Formerly in executing a deed in duplicate, or counterparts, it was written with both parts on one sheet, leaving a blank strip between them; the parts were "indented" by being cut asunder in a notched or waving line, and the instrument was called an indenture.

It is customary to begin the wording of wills, deeds, and the like with the words, "This indenture," etc.

Independent. This term is applied in politics to a voter whose fealty to party is not strong enough to induce him to vote with and endorse that party under any and all circumstances. The spirit of independence in voting grows stronger year by year. Fewer than thirty years ago independent voting was rare; the person who dared to break away from party nominations and vote for the opposition ticket, or any part of it, was called, in derision, a "mugwump" [q. v.].

Indiana. Indiana was originally French territory, owing to explorations in the vicinity by La Salle, in 1679. In 1702 the French emphasized their right to ownership by building a fort at Vincennes, which became the first permanent settlement in the State. In 1763, the treaty closing the Intercolonial Wars ceded the territory to the English, who in turn transferred it to the United States by the treaty of 1783. Four years later, under the Ordinance of 1787, Indiana became a part of Northwest Territory and so remained for thirteen years, when Indiana Territory was organized. This form of government continued until 1816, when Indiana became the nineteenth State of the Union.

Government. The State has had two Constitutions, the first in 1816 and the present one in 1851; the latter was amended in 1873 and again in 1881. Amendment is possible only by majority vote of the members of each House of the Legislature at two consecutive sessions. The right to vote is granted to male citizens of the United States, twenty-one years of age, who have resided in the State six months, in the township sixty days and in the voting precinct thirty days. The Legislature is composed of a Senate limited to fifty members and a House of Representatives limited to one hundred members. Senators are chosen for four years and Representatives for two years. Regular sessions are limited to sixty days and special sessions to forty days. Members receive $6.00 per day while in attendance, and are allowed mileage. The Executive Department consists of a Governor and Lieutenant-Governor, chosen for terms of four years, and Attorney-General, Secretary of State, Auditor, Treasurer and Superintendent of Education, chosen for two years. The Governor may not be elected for two consecutive terms. A veto by the Governor may be overridden by a majority vote of each House. If the Governor does not sign or reject bills within three days from the time they reach him, they become laws

STATE SEAL OF INDIANA.

without his action. The Judicial power is vested in a Superior Court of five Justices, chosen for six years; in an Appellate Court of six judges, chosen for six years; in various Circuit Courts, each presided over by one Judge who is chosen for six years, and in Justices of the Peace in each township, chosen for four years.

Indian Affairs, BUREAU OF. For the first fifty years of our Government, the management of the American Indians was in charge of the Department of War, where under-secretaries and clerks conducted matters so loosely and inefficiently that great dissatisfaction prevailed. In 1832 Congress authorized the office of Commissioner of Indian Affairs, to be filled by appointment of the President; this officer was charged with the task of thoroughly organizing a bureau to deal solely with the Indians, and to maintain it at a high grade of efficiency. The Commissioner was under the Department of War until 1849, since which time the Bureau of Indian Affairs has been a part of the Department of the Interior.

Indictment. To indict is to find and declare one to be chargeable with crime; an indictment is a formal written charge against a person, in language following the forms of law, presented by a grand jury, and used later in court as the basis for trial of the accused. The essential features of a valid indictment are (1) that it be presented by the grand jury to some court having jurisdiction over the offense indicated; (2) that it be found a "true bill" [q. v.], signed by the foreman of the jury, and, when required by statute, by the prosecuting attorney as well; (3) that it be framed with certainty, containing a description of the crime or misdemeanor charged, the name of the accused, and the facts constituting the offense, as far as the jury has been able to learn them; (4) it must be written in the English language.

In States where the grand jury is not regularly a part of the Judicial machinery, the accused is held for trial on an "information," instead of an indictment. An information contains practically what must be included in an indictment; it is issued by the examining magistrate (Justice of the Peace)

upon request of the State's Attorney, if in his opinion enough evidence has been presented to warrant binding the accused over to the coming term of court for trial. See GRAND JURY; INFORMATION.

Infant. In law, any person under twenty-one years of age is an infant, or minor. The only exception to this rule is in States where females come to legal age and reach the period of responsibility at the age of eighteen or twenty. An infant can not make legal contracts for anything except necessities of life, such as food, clothing and education; but any contract with a minor may be made valid by his formal acknowledgment of its terms and conditions as soon as he becomes of age.

Infantry, foot soldiers, equipped with small arms; the most numerous fighting branch of an army, the other divisions being cavalry and artillery. In the United States army, by authority of the Act of 1901, there are thirty regiments of infantry of about 850 officers and men, with thirty regimental bands, and 360 companies of infantry, each with 68 officers and men. See ARMY OF THE UNITED STATES; ARTILLERY; CAVALRY.

Information, a legal writ, similar to an indictment, by which a person accused of crime is held by the examining magistrate (Justice of the Peace) to the County Court for trial. In an indictment by a grand jury, the true bill is found without the presence and testimony of the accused, but in an examination before a Justice of the Peace he is given an opportunity to be heard in his own defense, sufficiently to establish the main facts in the case. Neither a grand jury investigation nor an inquiry before a Justice Court is a trial of the case; it seeks only to learn if there is sufficient evidence to warrant a future trial of the case on its merits. See INDICTMENT; GRAND JURY.

In God We Trust. This motto first appeared in our coinage on the copper two-cent piece issued from the mint in 1864, under warrant of an act of Congress of the same year. Section 5 contained the authority, in the following paragraph:

> And be it further enacted, That, in addition to the devices and legends upon gold, silver and other coins of the United States, it shall be lawful

for the director of the mint, with the approval of the Secretary of the Treasury, to cause the motto "In God We Trust" to be placed on such coins hereafter to be issued as shall admit of such legend thereon.

The use of the phrase was not mandatory; decision rested with the President and his Secretary of the Treasury. In 1907, President Roosevelt ordered the motto removed from current coinage, on the ground that in many minds it excited a spirit of levity. So much opposition to this decision was aroused in various religious bodies that Congress was appealed to early in 1908 for a law providing for the use of the words on at least all gold coins. In April of that year both Houses passed such an act, in terms covering all coins large enough to receive the legend without overcrowding the design, and it received prompt Executive approval.

Inhabitant, a resident; one making his home permanently in a place. The laws of the various States specify different degrees of permanency in residence as constituting an inhabitant for voting privileges and the right to hold office. See CITIZENSHIP; QUALIFICATIONS OF VOTERS.

Inheritance Tax. A very old form of raising revenue for the support of Government is by means of a tax levied upon property bequeathed by will of a deceased person to his heirs or legatees. The inheritance tax was first levied in the Roman Empire to raise money for the support of the army. In England such taxes are called death duties, and have been imposed since 1780. Adam Smith's great book on economics, the *Wealth of Nations,* is credited with making this form of tax a permanent feature of England's fiscal policy.

Inheritance taxes are now in force in practically all the countries of Europe and in many States of the Union. The Federal Government employed this means of raising money during the Civil War, but the law was repealed at the close of the struggle. About fifteen States have statutes in force providing for taxes upon inheritances, and large revenues are secured from this source, New York naturally leading, Pennsylvania and Massachusetts following closely. The popularity of such a tax levy is increasing. The rate per cent of tax

varies in different States, running from one-half of one per cent to four or five per cent.

Much dissatisfaction is always expressed over attempts to levy and collect taxes upon personal property in possession of its owner; concealment and false representation are common. When an estate is divided, however, the laws regulating the administration of the probate courts provide for publicity, so that the entire property of the decedent is disclosed to the knowledge of the authorities. Therefore, the inheritance tax is a very effective method of taxation, equal and uniform in its operation, and less a burden than direct taxes.

Initiative, Referendum and Recall. During recent years the people of the United States have shown a disposition to take a more direct part in legislation than formerly, and to exercise a closer supervision over the officials they place in positions of trust. To this end they have demanded, in some States, the right to direct by vote that the State Legislature place certain laws upon the statute books; in others, they demand that no act passed by the Legislature shall become a law until it receives the approval of the majority of voters of the State; the failure of any measure thus placed before the people would invalidate it, regardless of the attitude of the Legislative body. These two are known, in general terms, as the Initiative and the Referendum, and both are steadily growing in public favor.

Possibly the most radical measure designed to vest control in the hands of the electorate is the Recall. In no Eastern community has this political doctrine secured a foothold, but in a number of Western cities it is an important factor in government. The people put into office men whom they have reason to believe will faithfully perform their duties. Too frequently the officeholder forgets both his pledges and his oath and serves private interests. On the theory that what the people have done they should have the power to undo, a vote on the question of recalling a man from a position he does not honorably fill would seem to be a sane political measure. Such a vote is termed a Recall; if it receives a majority of the votes cast, the

official is at once unseated and by a new election the vacancy thus created is filled.

Injunction. An injunction is a decree of a court of equity by which a person, firm or corporation named therein is forbidden to do a certain thing, or is forced to perform an act which as a matter of justice should be done for the benefit of another. A writ of injunction may be asked for without notification to the party against whom it is sought. In such case the court grants a temporary injunction and sets a day on which the matter shall be argued. On the day of the hearing, the court decides whether the plea shall be sustained—whether the injunction shall be made permanent or be dismissed altogether.

An injunction is never issued to restrain a person from committing a crime. It is a civil writ, while a crime, actual or contemplated, is a violation of the criminal code. Contract rights and the rights of property are safeguarded by writs of injunction. For example, in a labor dispute resulting in a "strike," the laborers may attempt to restrain by violent means other people from entering upon their former employment. This is unjust, as it is the right of labor to find employment wherever the demand exists, and it is prejudicial to the interests of employers, who should be free to choose their employes upon such terms as may be mutually satisfactory. The employers, then, may ask the courts to issue an injunction against any labor union, to the end that "picketing" shall cease and that his new employes shall in no manner be molested. An injunction order is always served by an officer upon the defendant or defendants; any one who disobeys its provisions is guilty of contempt of court and may be punished by fine or imprisonment, or both, in the discretion of the court.

Inquest. An inquest is a semi-judicial inquiry into a special matter, by aid of a jury, usually of six persons, impaneled for that specific purpose. The most frequent application of the law relating to inquests is in connection with inquiries into causes of sudden or mysterious deaths. In no State can a body be buried legally unless a properly attested certificate names the cause of death. This is ordinarily signed

by the physician in attendance, and is in effect a burial permit. If the cause of death in any case is unknown, it becomes the duty of the coroner of the county in which the death occurs to ascertain such cause by any means at his disposal. To this end he impanels a coroner's jury to hear such evidence as may be presented, and he sits as presiding officer. The jury renders its verdict in accordance with the facts that the inquiry develops. If foul play is disclosed, the jury may name the suspected person or persons, and the officers of the law then must assume the responsibility of bringing the accused to justice. See CORONER.

Insolvency is the financial condition of a person who is unable to pay his debts as they become due. It is possible to obtain lawful release from insolvency through the National bankruptcy laws. See BANKRUPT LAW.

Insolvent. See BANKRUPT.

Insurgent, one who participates in open resistance to the constitutional authorities of a place or country. Insurgent uprisings are most numerous in subject provinces; they are rare in established governments. The experience of the United States in recent years with such rebellions has been limited to the Philippine Islands, during the period of pacification.

Insurrection. An insurrection is a rebellion in its first stages, before plans of operation are matured or thorough organization is perfected. Those participating in such an uprising are called insurgents; the name changes to rebels, if the matter reaches the stage of a rebellion. See INSURGENT; REBELLION.

Interior, DEPARTMENT OF THE. This is one of the Executive departments of the Government, whose head, the Secretary of the Interior, is a member of the President's Cabinet. The Department was organized in 1849, previous to which time the bureaus constituting it were parts of other Executive departments. To the Department of the Interior upon its organization were transferred the Patent Office and the Census Bureau, from the Department of State; the Land Office, from the Treasury Department; the Bureau of Indian Affairs, from the

Department of War; the Pension Bureau, from the Departments of War and the Navy, and the care of certain public buildings, of which the President had been custodian. At a later date the Bureau of Education, which had had an existence independent of any Department, was added to the Department of the Interior.

The Secretary of the Interior receives a salary of $12,000 per year; his principal subordinates and their salaries are as follows:

	SALARY
Assistant Secretary	$4,500
Assistant Secretary	4,000
Chief Clerk	2,750
Commissioner of Patents	5,000
Commissioner of Pensions	5,000
Commissioner of Land Office	4,000
Commissioner of Indian Affairs	4,000
Commissioner of Railroads	4,500
Commissioner of Education	3,000
Commissioner of Labor	5,000
Director Geological Survey	6,000
Chief Census Division	6,000

The Secretary receives his appointment from the President of the United States, but the choice must be confirmed by the Senate. A list of all the Secretaries of the Interior follows:

Thomas Ewing,	Ohio,	appointed	March 7, 1849.
Alexander H. H. Stuart,	Virginia,	"	Sept. 12, 1850.
Robert McClelland,	Michigan,	"	March 7, 1853.
Jacob Thompson,	Mississippi,	"	March 6, 1857.
Caleb B. Smith,	Indiana,	"	March 5, 1861.
John P. Usher,	Indiana,	"	January 8, 1863.
James Harlan,	Iowa,	"	May 15, 1865.
Orville H. Browning,	Illinois,	"	July 27, 1866.
Jacob D. Cox,	Ohio,	"	March 5, 1869.
Columbus Delano,	Ohio,	"	Nov. 1, 1870.
Zachariah Chandler,	Michigan,	"	Oct. 19, 1875.
Carl Schurz,	Missouri,	"	March 12, 1877.
Samuel J. Kirkwood,	Iowa,	"	March 5, 1881.
Henry M. Teller,	Colorado,	"	April 6, 1882.
Lucius Q. C. Lamar,	Mississippi,	"	March 6, 1885.
William F. Vilas,	Wisconsin,	"	Jan. 16, 1888.
John W. Noble,	Missouri,	"	March 5, 1889.

Hoke Smith,	Georgia,	appointed March 6, 1893.
David R. Francis,	Missouri,	" Aug. 24, 1896.
Cornelius N. Bliss,	New York,	" March 5, 1897.
Ethan Allen Hitchcock,	Missouri,	" Dec. 21, 1898.
James R. Garfield,	Ohio,	" Dec. 13, 1906.
.....	.....	" .....

See CABINET OF THE PRESIDENT; INTERIOR, SECRETARY OF THE.

Interior, SECRETARY OF THE. Not until 1849 did Congress authorize the appointment of an Executive officer to assume control, under the President, of the vast and rapidly growing internal interests of the country, involving at once both State and National relations. Upon the organization of the Government a "Home Department" was proposed, whose head should be "Home Secretary," but the project met with opposition, and the interests such an officer would naturally have controlled were divided among other Department heads. In 1849, the Department of the Interior was organized, and by custom, not by law, its official head from that date has been a member of the Cabinet of the President, with the title Secretary of the Interior. He is subordinate to the President, who is the supreme Executive power under the Constitution. The salary of the Secretary is $12,000, and his term of office is four years, the length of the term of his chief. See CABINET OF THE PRESIDENT; INTERIOR, DEPARTMENT OF THE.

Internal Improvements. No political party in the United States ever opposed the policy of erecting lighthouses and massive breakwaters, wherever needed, under direction of the Government and at Government expense. Such expenditures are considered to be a benefit to all the people. But on the question of appropriations by Congress for improvements on public roads, upon rivers of the interior, etc., there have been marked differences of opinion. The benefits derived from good roads pass directly to individual States, and deep waterways seldom affect the interests of more than one or two States. One great highway was projected from Cumberland, Maryland, to the Ohio River, by act of Congress in 1806, and $30,000 of public money was appropriated for preliminary surveys. For

over thirty years it was a political issue; sixty appropriation bills were passed to provide funds for different parts of the work, and nearly $7,000,000 in all was spent. The development of railroads put a stop to the project while yet unfinished. Since that date no effort has been made by the National authorities to assist internal projects of this character. The issue with respect to river traffic is in many respects different. A great waterway, like the Mississippi, the Ohio, or the Missouri River, can be made to serve the interests of the people of a great area; no serious objection is ever heard to reasonable appropriations to improve river navigation when more than one locality is benefited. Every Congress, therefore, makes large provision for such improvements, in the biennial River and Harbor Bill.

In the days when pioneer railroad men were endeavoring to extend their lines to the Pacific coast through deserts and mountains, the Government gave financial aid, out of which grew a number of grave scandals of maladministration. However, the subsequent rapid development of the great West abundantly justified the expenditures. Probably no further public assistance will be needed by private enterprise in developing the country; it is doubtful if any would be voted, if requested.

Internal Revenue. The money needed to defray the expenses of the National Government is obtained from taxes levied upon imports coming into the country, and upon certain commodities manufactured within the country. The former are called customs duties, or foreign revenue; the latter, internal revenue. For many years past the revenue from taxes upon imports has provided more than half of the money collected annually by the Government. The laws relating to internal revenue are quite elastic; they make it possible for Congress to levy taxes upon any commodity of home manufacture, subject to change whenever varying conditions require it. To Congress is given the sole power "to lay and collect taxes, duties, imposts and excises," the only restriction upon this power being that all such taxes shall be uniform throughout the United States.

The first internal revenue law was passed in 1791. It provided for a tax on distilled liquors of domestic manufacture, discriminating in favor of those produced from domestic material and against those manufactured from foreign material. This act led to the famous Whiskey Rebellion, which President Washington, by exercise of armed force, quelled in its early stages. In 1794, the taxation of internal manufactures was increased by levies on carriages, the retail sale of wines and liquors, on snuff and on sugar. These taxes are all indirect in nature, manifestly so because any person refusing to purchase articles which are taxed may avoid paying any share of the revenue derived from their sale.

In 1798 the first direct internal tax, which netted about two million dollars, was apportioned among the States, and it was proposed it should be levied on dwelling houses, slaves and land. The tax of 1791, above referred to, was levied principally for the reason that it was desired by the first administration to establish definitely the principle of National taxation. The 1798 direct tax levy was thought necessary because of threatened war with France. Later laws placed revenue taxes upon a great variety of articles of domestic manufacture, such as wine, candles, playing cards, umbrellas, beer, hats, harness, household furniture, watches, boots and table-ware. From time to time this list was materially altered, many things being dropped from the taxable list and others being added. The Civil War renewed the necessity of taxation all along the line, and the principle of direct taxation was again invoked.

During the Spanish-American War in 1898, additional revenue was needed quickly, and a tax was placed upon many legal documents and upon bank checks and drafts. This emergency tax produced a revenue of many millions of dollars. When the need for it was no longer apparent, the law was repealed.

In times of peace, when the country experiences no pressing need of more than the usual amount of revenue, a sufficient amount is derived from taxes upon imports and upon internal revenue levies upon all kinds of malt and spiritous liquors and

upon the manufacture of tobacco in all its forms. See Customs Duties; Imposts; Excises.

International Arbitration. For the hundreds of years that civilized countries have sought to maintain themselves against all other powers, international disputes have been as a rule settled by resort to arms. Almost all the progress toward amicable adjustment of international disputes has been made since the beginning of the twentieth century. In the very last years of the nineteenth century, in 1897, the friends of arbitration all over the world were greatly depressed by the defeat of a measure in the United States Senate which would have placed all future disputes between Great Britain and the United States before a court of arbitration for adjustment. As strange as it may appear, the Czar of Russia has taken a leading part in bringing the nations of the world together in a court of arbitration to which disputes should be referred. See Hague Tribunal.

The principle of adjustment of all international difficulties by reference to a competent court has been gaining ground so rapidly that doubtless within a few years all danger of great wars will be averted.

International Boundary. The line dividing the United States and Canada has been distinctly marked by the British and American Commissioners with stone cairns, iron pillars, wood pillars, earth mounds and timber posts. A stone cairn is seven and a half feet by eight feet high, earth mounds seven by fourteen feet, an iron pillar eight feet high, eight inches square at the bottom and four inches at the top, timber posts five feet high and eight inches square. Of these marks there are 385 between the Lake of the Woods and the base of the Rocky Mountains.

That portion of the boundary which lies east and west of the Red River Valley is marked by cast iron pillars at even mile intervals, the British placing one every two miles and the United States one between the British posts. Upon the opposite faces are cast, in letters two inches high, the inscription "Convention of London" and "October 20, 1818." The average weight of

each pillar is eighty-five pounds. For the wooden posts, well seasoned logs are selected and the portion above the ground is painted to prevent swelling; the Indians interfere with the wooden ones, by cutting them down, so iron is being substituted.

When the line crosses lakes, mountains of stone have been built, the bases being in some places eighteen feet under water, the tops projecting some eight feet above the surface of the lakes at high water mark. In forests the line is marked by felling the timber a rod wide and clearing away the underbrush, a heavy undertaking, but carefully and thoroughly done.

International Copyright. Copyright privileges were formerly limited to the citizens of the country which issued them, and against other countries no protection was to be obtained. Such a condition was not especially objected to when the nations were less cosmopolitan and each cared little for the literary productions of the others, excepting the writings of the greatest authors, which, however, by the passing of years, had become the common property of the world. During those times an American author knew his product would have little sale abroad and, generally speaking, a foreign publisher would run risk of financial loss if he attempted to produce in his own country, with or without the author's consent, any of the latter's works. For a good many years, however, the condition of the literary market has been changing. English, French and German authors of this generation are widely read in the United States, and our writers enjoy constantly increasing prestige abroad. An unauthorized foreign edition of a popular book has been sold in quantities unheard of many years ago, and to protect the author and his right to revenue from such sales an international copyright agreement has been reached. The first effort was made by convention in 1885, at Berne, Switzerland, but not until 1891 did the United States sign the articles of agreement. At the present time any citizen or subject of a State granting reciprocal courtesy may secure in this country a copyright on exactly the same terms and in the same manner prescribed for a citizen of the United States. The formalities required of American authors who would protect their works in

England by copyright are more burdensome than we impose upon the Englishman. Great Britain requires that the American author or publisher make his copyright effective in England on the same day it goes into effect at home, and that he have an English representative through whom application may be made. This obvious difficulty will doubtless in time be removed. See COPYRIGHT.

International Law has been defined by legal authorities as "that collection of usages which civilized States have agreed to observe in their dealings with each other." It consists of rules for the conduct of different nations toward each other, and these rules are based upon reason, justice, and the nature of the Governments involved. It differs in three important respects from ordinary constitutional law:

First, it is not made by enactment of any Legislative body.

Second, not being written law in the sense of having been enacted by a Legislative assembly, it cannot be interpreted by any authorized Judicial body.

Third, its provisions cannot be enforced by any superior power, because the great powers agreeing to the principles of international law stand on equal footing one toward another.

International law is interpreted in the light of precedent and mutual agreement, and rests directly on the consent of those nations that agree to obey it. In every international dispute, the final tribunal is war or arbitration. There are seven principal sources of international law:

[1] The law of nature, which has by some been confused with the law of nations, as expounded in ancient Rome. This was founded on a theoretical consideration of such moral laws as were believed to be universally accepted. But the true interpretation of the law of nature is an adaptation of the dealings of the Roman law with aliens, whose rights were not recognized under the various municipal laws.

[2] The opinions of recognized experts on international customs and usages is another principal source of international law. International law is practically a modern product, and was almost entirely the creation of Hugo Grotius, who lived in the seventeenth century; its later developments have been influenced by the opinion of eminent professors, because in absence of legislative and judicial reviews, these experts have taken upon themselves the prerogative of somewhat judicial utterances. The

conclusions of writers on international law cannot be accepted without reserve, unless they are abundantly supported by precedent.

[3] Another principal source is treaties and agreements of like nature between various countries. A treaty can only bind the two countries which sign it, but it may be important in many cases affecting other countries, because it shows precedent, and of course a treaty is more important from the point of international law if the countries signing it are themselves of the first rank.

[4] Decisions in arbitrations between countries. Weight is attached to such decisions in the proportion of the majority of the countries involved in the arbitration proceedings.

[5] Decisions on questions of international law by courts of independent countries in cases involving rights of citizens in their relations to people of other countries. Naturally, it would be expected that instances of this nature will be rare, because courts are not prone to assume jurisdiction in important matters involving friendly States.

[6] Another source is represented in the opinions of important law officers of any Government, on points which are submitted to them for decision. Such opinions carry weight in proportion to the eminence of the men giving them expression, and quite naturally would be considered as opinions favorable to the Government in whose employ they may be.

[7] Manuals of instructions issued by Governments to their various officers abroad.

The greatest assurance that weak countries have that international law with respect to themselves will be recognized by strong powers is the force of public opinion. As stated before, there is no supreme authority which can compel observance of this law, yet public opinion and combinations of other nations against an offender usually are so potent that obligations are seldom disregarded.

Interpretation Act. An act of any Legislative body defining the meaning of words or phrases employed in a statute previously enacted is called an interpretation act. It is also frequently the case that an interpretation clause may be included within an act.

Interstate Commerce Act. The power to regulate commerce between the States of the Union rests entirely in the hands of Congress. This authority is delegated to it in Article I, Section 8, Clause 3, of the Constitution, in which is the specific statement that it shall "regulate commerce with foreign nations and among the several States and with the

Indian tribes." Commerce within the boundaries of a State cannot be molested by United States authority as long as such traffic is legal; however, whenever such commerce passes the boundary of one State and enters another, then the citizens of two States become interested. It has been decided that controversies between citizens of two different States shall be presented to Federal courts for adjustment. It naturally follows that it is within the province of the Federal Government to regulate intercourse of a public nature when more than one State is a party to it.

The first important general act for the regulation of interstate commerce was passed in 1887, through the efforts of Senator Cullom, of Illinois. The original act has been amended on various occasions, and as it now stands it provides for an Interstate Commerce Commission of five members, whose duty it is to supervise railroads passing through and carrying commerce between different States. In 1906 the powers of the Commission were considerably enlarged, their scope extending also to express companies, sleeping-car companies and pipelines for transporting oil. Another member was added to the Commission because of the largely increased duties in consequence of greater powers. Each commissioner holds office for seven years and is given a salary of $10,000 per year. The members of the Commission are appointed by the President and the appointments are confirmed by the Senate. The Commission is organized after the manner of an ordinary court of law, and sits permanently in the capital city of the United States. Various members, however, travel to different parts of the country and hold sessions in cities wherever hearings may be necessary.

Legislative power is vested in the Commission in that it may compel railroads to adopt reasonable maximum rates for shipment of merchandise between different points; it may also compel a reasonable classification of freight, and by its order all railroads must adopt and publish a schedule of rates for each class of merchandise. Copies of these schedules must be filed with the Commission and must be posted con-

spicuously for the information of the public. Rates can neither be raised nor lowered after publication except after notice of intention to change has been given the Commission.

One of the most important features of interstate commerce affecting all classes of people was embodied in an amendment of 1906, which prohibited railroads from giving passes to any persons except employes traveling in the discharge of their duties. This affects the general public in that railroads have been able to reduce their rates for passenger traffic from three cents per mile to two cents per mile in many States of the Union and yet make a fair profit, owing in large measure to the abolition of the great number of passes heretofore issued annually. Over a dozen States of the Union have passed laws reducing passenger rates from three cents per mile to two cents. This would not have been imposed upon the roads, in any instance, probably, had the system of free passes not been abolished.

Interstate Commerce Commission. See INTERSTATE COMMERCE ACT.

Intestate. A person who dies without having made a valid will is said to have died intestate. See WILL.

Intrinsic Value is the real or true value of any commodity, apart from its form or its relation to any other thing. As applied to the money of a country, any system of currency, to be stable, must be based upon a metal whose value, fixed only by the law of supply and demand, varies but little from decade to decade, and which is worth practically as much in bars or molds or in any other form as the value stamped upon it by Government authority when it is converted into money. Such intrinsic value is found in but one precious metal—gold. A gold coin is worth practically the same as an equal amount of gold in any other form; the stamp of the Government is not designed to increase its value, but rather to identify it as legal tender and reduce it to convenient form for handling. Any person having a quantity of gold may take it to a Government mint and have it coined into money, at no cost to him except a small charge, called seigniorage, to pay for the labor involved

and for the alloy used. The same privilege was formerly extended to holders of silver bullion.

Iowa. France had a valid claim to what is now Iowa, as a result of trading and mining settlements by Frenchmen from 1788 to the end of the century, near what is now the city of Dubuque. The region came into possession of the United States as a part of the Louisiana Purchase in 1803. For a number of years thereafter Iowa was successively a part of Missouri, Michigan and Wisconsin, but was erected into a Territory of the United States, June 12, 1838. Its capital was then at Burlington, and in area it comprised not only its present extent but also a part of Minnesota and all of North and South Dakota. In 1839 the capital was removed to Iowa City and in 1857 to Des Moines.

STATE SEAL OF IOWA.

Government. Iowa has had two Constitutions, the second dating from 1857. This document can be amended only once in ten years by a majority vote of two successive Legislatures, followed by approval by the voters of the State. The law-making authority is vested in a Senate of fifty members and a House of Representatives of one hundred members, and is called the General Assembly. Each member receives a compensation of $550 and mileage for each full session. A bill may be passed over the Governor's veto by two-thirds' vote of each House. The Legislative Department includes the Governor, Lieutenant-Governor, Secretary of State, Auditor, Treasurer, Attorney-General and Superintendent of Public Instruction, all chosen for terms of two years. The Judicial Department is composed of a Supreme Court of six members, elected for terms of six years. There are twenty District Courts, each with from one to four judges, elected for four-year terms, who must hold four sessions of court annually in each county. Superior Courts may be established in any city having at least five thousand population.

Iron=Clad Oath. In July, 1862, Congress passed an act aimed at Confederate sympathizers, providing that a person who assumed office under the Government should take an oath which bound him not only to defend the Constitution of the United States against all enemies, foreign or domestic, but also forced him to swear that he had never given aid or encouragement to its enemies or accepted office under any Government hostile to the Federal Union. The provisions of this oath were so stringent that it was given the popular name of "iron-clad oath of office" See OATH.

J

Jeffersonian Democrat. Thomas Jefferson is declared to have been a model statesman. Because of his simplicity, the title of "Jeffersonian Democrat" is applied, as a compliment to him, to any public man of the Democratic party who shows simplicity, directness and sympathy with the people, and whose views on public matters harmonize with the opinions of the great mass of his party. See JEFFERSONIAN SIMPLICITY.

Jeffersonian Simplicity. Perhaps no other statesman in all our national history disliked display so much as Thomas Jefferson. When he visited Congress on the day of its first meeting after he became President, he rode to the Capitol on horseback, hitched his horse to a tree in front of the building, and addressed the two Houses in joint session, clad in an old suit of clothes, with trousers tucked into his boot-tops. He refused to wear knee-breeches at public functions, as was the custom of the time. However, so strong was this simple man that he left his impress upon the people for all time, and the Democratic party of today gains much of its inspiration from the principles that Jefferson advanced.

Jingo. The word originated in Great Britain, and was applied to a person who favored a spirited and demonstrative foreign policy in all Government matters. The name was originally applied during the Russo-Turkish War of 1877–1878. At that time a song coining the term became very popular, and is yet quoted, not only in Great Britain, but in the United States, whenever occasion makes it applicable:

> We don't want to fight,
> But by Jingo if we do,
> We've got the ships, we've got the men,
> We've got the money too.

Jingoism. The Jingo policy or spirit prevalent in an administration or Government.

Joint Resolution. See RESOLUTION.

Judge. In our legal system, the presiding officer of a court above the local Justice Court is called a Judge, with the one

exception that the members of the bench of the Supreme Court of the United States are termed Justices. Under the court practices of today in the majority of cases at bar, the Judge determines only questions of law, all decisions as to matters of fact being delegated to a comparatively modern institution, a jury [q. v.]. Under Roman and Grecian practice the Judge ruled upon both the law and the facts.

In State courts the Judge is a member of the bar and is chosen for his position by all of the electors of his district; said district may be a single city, a county, or a group of counties joined by the Legislature into a circuit (see CIRCUIT COURT, STATE). Members of each State Supreme Court are chosen by the electors of the State. Only in the Federal courts does the Judge secure his position by appointment. Members of the Supreme Court of the United States, and United States Circuit and District Judges are appointed by the President, subject to confirmation by the Senate. The term of office of a Federal Justice or Judge is for life or during good behavior, and he is removable by impeachment only. Members of a State Supreme Court are elected in almost every instance for twice as many years as there are Judges on the Supreme bench, so the term of one Judge will expire every two years; if there are five members the term will be ten years, and the member whose term next expires is Chief Justice during his last two years. Circuit Judges are chosen in most States for six-year terms. In all courts of a State, Judges are eligible to re-election. See SUPREME COURT.

Judge Lynch. In the early days of our National history it was difficult properly to administer law in sparsely settled communities. Desperate men therefore took advantage of this condition to violate the statutes, because of a feeling of security. Law-abiding citizens organized committees to deal summarily with criminals whom the laws were not strong or swift enough to reach through constituted authority, and many outlaws were hanged after brief hearings before these self-constituted judges. From the nature of the punishment and the character of the hearing the term "Judge Lynch" is de-

rived. Today lynchings are rare, and never occur except when an unusually atrocious crime inflames the public.

Judge of Probate. The title of the officer sitting as judge in a Probate Court is Probate Judge, or Judge of Probate. See PROBATE COURT.

Judgment. In law, a judgment is the sentence or oral order of a court in either a civil or a criminal proceeding. The judgment, though it is pronounced or awarded by the Judge on the bench, is not his determination or sentence, but the determination and sentence of the law to which the court gives voice. Against the judgment of any inferior court, an appeal may be taken to the next higher court in the State judicial system. In said higher court, all the evidence produced in the lower court is reviewed and judgment is either confirmed or the case is remanded back for a new trial, if errors are found to have been admitted in the original hearing.

Judicial Department. The Constitution of the United States, in Article III, provides for the establishment of United States courts and other courts inferior thereto. The system adopted by the First Congress remains almost unaltered in form to the present day. At the head of the Judicial system of the United States stands the United States Supreme Court. It was at first composed of one Chief Justice and five Associate Justices. In 1807 the number of associates was increased to six, in 1837 to eight, in 1863 to nine, and in 1869 reduced to eight. From that time to this the Supreme Court has consisted of one Chief Justice and eight Associate Justices. All the Justices are appointed by the President of the United States, and are confirmed by the Senate, retaining office for life, or during good behavior.

Subordinate to the Supreme Court are United States Circuit Courts, nine in number, this number corresponding to the numerical strength of the Supreme Court. Over each United States Circuit Court a United States Circuit Judge presides. Once or twice each year, as may be necessary to properly dispose of the business of the courts, a Justice of the United States Supreme Court travels into the Circuit assigned

him, and sitting with one or more Circuit Judges or District Judges, he holds sessions of the United States Circuit Court of Appeals.

The Circuit Courts are distributed over the country, a number of States being joined together, in proportion to population, into one Circuit. For instance, the States of Michigan, Ohio, Kentucky and Tennessee form one Judicial Circuit. The cases which come before the United States Circuit Court are those which affect the Federal Government only.

Subordinate to the United States Circuit Courts are sixty-one United States District Courts. There are one or two in most States, three in some of the most populous States, but no State has fewer than one. These courts have no connection whatever with the judicial machinery of a State.

There is also a United States Court of Claims in each circuit, which has jurisdiction in cases involving claims against the United States Government. See SUPREME COURT; JUDICIAL SYSTEM.

Judiciary of a State. State systems vary so widely that a description of them is impossible in this work. There is always, however, one Supreme Court at the head of the State judicial system, patterned after the Federal Supreme Court. Inferior to the Supreme Court may next be Circuit Courts or County Courts, although in some States there are Appellate and Superior Courts between the Supreme and County Courts.

Judicial System, UNITED STATES. The Constitution provided for the establishment of the Supreme Court at the head of the Federal Judicial system, and gave to Congress the power of extension by the creation of such inferior courts as might be necessary from time to time. To care for much of the business which would naturally come before the Supreme Court the country has been divided into nine circuits—one for each Justice of that Court. At least one Circuit Court is located in each State, and certain cases which formerly went to the Supreme Court now are heard by these Federal Circuit Courts; sessions in each are held twice yearly, and formerly were presided over by the Supreme Court Justice appointed for the

Circuit; today there is a United States Circuit Judge for each Circuit Court. One, two, or more States may be included within one Circuit; frequently there are as many as five. Tributary to the Circuit Courts are United States District Courts, of which there may be several in each Circuit; the presiding officer is the United States District Judge. In each Circuit there is one United States Court of Appeals, holding semi-annual sessions. Upon the bench of this court sit three Judges, selected from the Supreme Court Justices and the Judges of the Circuit and District Courts. Cases which have been appealed from the District and Circuit Courts are here heard, and from the Court of Appeals certain cases may go on another appeal to the Supreme Court; in all others judgment here rendered is final.

The judicial system of the United States does not conflict with the powers delegated to State judicial tribunals. John Jay, the first Chief Justice, outlined the extent of the powers of the Federal judiciary so precisely that in all our court practice there has been no departure from his interpretation of the Constitution. For his statement, see SUPREME COURT.

The following table presents an outline of the Judicial system of the United States:

UNITED STATES COURTS

Title	*Organization*	*Jurisdiction*[1]
Supreme Court	A Chief Justice, $13,000; eight associates, $12,500.	This court has original jurisdiction in all cases relating to ambassadors and other public ministers and consuls, and in those to which a State is a party. It has appellate jurisdiction in all cases originating in the inferior courts, save such as Congress by law shall except. Appeals may be made to it, and writs of error lie to it, from the district and circuit courts, from the courts of appeals, and from the supreme courts of the District of Columbia and the territories.
Circuit Courts of Appeals	Nine, each with a Justice of the Supreme Court and two circuit judges.	Appeals from circuit, district, and territorial courts.
Circuit Courts.	Nine circuits, each with two or three circuit judges, twenty-five in all, $7,000.	Its jurisdiction embraces an extensive control of criminal cases, which is for the most part concurrent with that of the district courts. The circuit courts have jurisdiction over all civil suits involving the construction of Federal law where the amount involved is at least $2,000. Where the United States is the plaintiff the money

UNITED STATES COURTS

Title	*Organization*	*Jurisdiction*[1]
		limit does not apply. The same jurisdiction is given also to the circuit courts whether or not a Federal law is involved, providing the suit is between States, or between citizens of the United States and foreign States or citizens thereof.
District Courts.	Seventy-six districts, each with a district judge, $6,000.	Largely over cases connected with the revenue laws, admiralty matters, suits against consuls, cases arising under the postal laws, and criminal prosecutions for violations of Federal laws.
Court of Claims.	A chief justice, $6,500, and four associates, $6,000.	Over money claims of individuals against the Government.
Court of Private Land Claims.	A chief justice, $5,000, and four associates, $5,000.	Decides conflicting claims of title to certain public lands.
Court of Appeals, District Columbia.	A chief justice, $6,500, and two associates, $6,000.	Hears appeals from the Supreme Court of the District of Columbia.
Supreme Ct., District Columbia.	A chief justice, $5,000, and four associates, $5,000.	Resembles in jurisdiction other United States district courts.
Territorial Courts.	Judges appointed for four years.	Resembles United States district courts.
Admiralty	Courts, Commis	sioners' Courts, and Courts-martial.

[1] The Supreme Court has both original and appellate jurisdiction; the Circuit Courts of Appeals, and the Court of Appeals for the District of Columbia, have only appellate jurisdiction; the other courts only original jurisdiction.

Junket, any trip or expedition undertaken by legislators, for the purpose of investigating public matters, that they may more clearly act upon them. Too frequently these excursions partake too much of the nature of pleasure trips, and they are always expensive, the total expenditure being charged up to the Government, State or National, as the case may be.

Jurat. A person sworn to the faithful performance of a duty, such as an alderman or any magistrate, is called a jurat. The word comes down to us from the Middle Ages. It also means the clause in an official certificate which attests the fact that the deposition or affidavit was duly sworn to at a stated time before competent authority.

Jurisdiction. (1) The legal right to exercise authority, whether Legislative, Executive or Judicial. (2) The territory over which such authority may be exercised. The Governor has jurisdiction within the bounds of his State, the Sheriff

within the confines of his county, the Justice of the Peace within his township, the Federal Judge within his appointed district. Each is limited in authority to his particular designated territory; all other sections are beyond his authority. See ORIGINAL JURISDICTION; APPELLATE JURISDICTION.

Jurisdiction, SUMMARY. See SUMMARY JURISDICTION.

Jurisprudence. The philosophy of law and its administration is included under the general title jurisprudence. It is the science by which all laws and Constitutions of States and nations, whether written or unwritten, are reduced to system and their principles are analyzed, methodized and judicially applied.

Comparative jurisprudence is the analytic comparison of systems of law prevailing in different countries and nations.

Medical jurisprudence is the branch of jurisprudence pertaining to questions concerning wounds, poisons, insanity, etc., requiring technical knowledge of the medical sciences for their elucidation and determination.

Jurist, a person versed in the science of law; a qualified and judicial expounder of the principles of jurisprudence. In the best sense, the name is applied to a person recognized as an authoritative writer on legal questions. See JURISPRUDENCE.

Jury, a body of men possessing certain prescribed legal qualifications, who are summoned to attend the sessions of a court of record, and there sworn to try well and truly the issues between contending parties and give a verdict in strict accordance with the evidence presented. The jurors summoned to try a case constitute a branch of the court. A justice court jury is composed of six members, called to service by a police officer or constable; a circuit court or county court jury, twelve members, chosen according to forms prescribed by State statute; a grand jury, twenty-three members, selected in a statutory manner. A coroner's jury is composed of six members, selected by the coroner.

The institution of the jury in a system of jurisprudence raises the people, or at least a class of citizens, to the dignity of judges. See TRIAL BY JURY.

Jury, Coroner's. See Coroner's Jury.

Jury, Grand. See Grand Jury.

Justice, Department of. One of the last divisions to be added to the Executive Department of the United States Government was the Department of Justice, which is the law department. This is the branch to which are referred all legal problems pertaining to the Government. The Department of Justice was created by an act of Congress in 1870, but the Attorney-General has been the chief law officer of the Government since Washington's first administration. When the Department of Justice was organized, naturally the Attorney-General was placed at its head. The reader must not confuse the Department of Justice with the Judicial Department of the United States; the latter refers to the system of courts having jurisdiction over all cases in which the United States is a party. See Judicial System.

The following are the principal officers in the Department of Justice, together with their salaries, revised to 1908:

Attorney-General	$12,000
Solicitor-General	7,500
Assistant to Attorney-General	7,000
Five Assistant Attorneys-General, each	5,000
Assistant Attorney-General of the Postoffice Department	4,500
Solicitor of Internal Revenue Bureau	4,500
Solicitor for the Department of State	4,500
Solicitor of the Treasury Department	4,500
Solicitor of the Department of Commerce and Labor	4,500

The names of all the men who have held the office of Attorney General, and who since 1870 have been at the head of the Department of Justice, are as follows:

Edmund Randolph,	Virginia,	Appointed Sept. 26, 1789.
William Bradford,	Pennsylvania,	" Jan. 28, 1794.
Charles Lee,	Virginia,	" Dec. 10, 1795.
Theophilus Parsons,	Massachusetts,	" Feb. 20, 1801.
Levi Lincoln,	Massachusetts,	" March 5, 1801.
Robert Smith,	Maryland,	" March 2, 1805.
John Breckenridge,	Kentucky,	" Aug. 7, 1805.
Cæsar A. Rodney,	Delaware,	" Jan. 20, 1807.

William Pinkney,	Maryland,	Appointed Dec. 11, 1811.
Richard Rush,	Pennsylvania,	" Feb. 10, 1814.
William Wirt,	Virginia,	" Nov. 13, 1817.
J. McPherson Berrien,	Georgia,	" March 9, 1829.
Roger B. Taney,	Maryland,	" July 20, 1831.
Benjamin F. Butler,	New York,	" Nov. 15, 1833.
Felix Grundy,	Tennessee,	" Sept. 1, 1838.
Henry D. Gilpin,	Pennsylvania,	" Jan. 10, 1840.
John J. Crittenden,	Kentucky,	" March 5, 1841.
Hugh S. Legaré,	South Carolina,	" Sept. 13, 1841.
John Nelson,	Maryland,	" July 1, 1843.
John Y. Mason,	Virginia,	" March 5, 1845.
Nathan Clifford,	Maine,	" Oct. 17, 1846.
Isaac Toucey,	Connecticut,	" June 21, 1848.
Reverdy Johnson,	Maryland,	" March 7, 1849.
John J. Crittenden,	Kentucky,	" July 20, 1850.
Caleb Cushing,	Massachusetts,	" March 7, 1853.
Jeremiah S. Black,	Pennsylvania,	" March 6, 1857.
Edwin M. Stanton,	Pennsylvania,	" Dec. 20, 1860.
Edward Bates,	Missouri,	" March 5, 1861.
Titian J. Coffey, *ad int.*,	Pennsylvania,	" June 22, 1863.
James Speed,	Kentucky,	" Dec. 2, 1864.
Henry Stanbery,	Ohio,	" July 23, 1866.
William M. Evarts,	New York,	" July 15, 1868.
E. R. Hoar,	Massachusetts,	" March 5, 1869.
Amos T. Ackerman,	Georgia,	" June 23, 1870.
George H. Williams,	Oregon,	" Dec. 14, 1871.
Edwards Pierrepont,	New York,	" April 26, 1875.
Alphonso Taft,	Ohio,	" May 22, 1876.
Charles Devens,	Massachusetts,	" March 12, 1877.
Wayne McVeagh,	Pennsylvania,	" March 5, 1881.
Benjamin H. Brewster,	Pennsylvania,	" Dec. 19, 1881.
Augustus H. Garland,	Arkansas,	" March 6, 1885.
William H. H. Miller,	Indiana,	" March 5, 1889.
Richard Olney,	Massachusetts,	" March 6, 1893.
Judson Harmon,	Ohio,	" June 8, 1895.
Joseph McKenna,	California,	" March 5, 1897.
John W. Griggs,	New Jersey,	" Jan. 22, 1898.
Philander C. Knox,	Pennsylvania,	" April 5, 1901.
William H. Moody,	Massachusetts,	" July 1, 1904.
Charles J. Bonaparte,	Maryland,	" Dec. 3, 1906.

Justice Court. In most States the least important but most numerous branch of the Judicial system is the Justice

Court, presided over by a Justice of the Peace. The cases over which a Justice Court has competent jurisdiction are civil cases of little importance, involving small amounts, which range from even less than ten dollars to a maximum of two hundred dollars. In States where this best serves the people there is a provision for three or four Justices of the Peace in each organized township. A court is easily reached under such circumstances and local petty cases may be quickly adjusted without resort to higher tribunals. The Justice Courts dispose of many issues between contending parties which would otherwise fill the calendars of County Courts, at great expense to the community at large. The Justice of the Peace may preside at preliminary hearings in criminal cases, in most States, but his jurisdiction extends only to binding over the accused to the next session of the County Court for trial. This he does whenever in his opinion the evidence warrants such action; in the event that the case against the accused is weak it is within the power of the Justice to dismiss the charge.

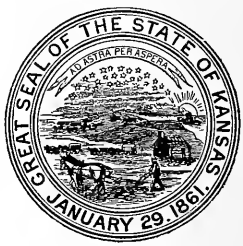
A Justice of the Peace is paid by a system of fees, assessed against litigants appearing before him. In criminal hearings the State or county remunerates him. His term of office is usually four years; in townships where there are four Justices one would therefore be chosen each year.

Justice of the Peace. See JUSTICE COURT.

K

Kanawha, STATE OF. When the western portion of Virginia seceded from the parent State after refusing to ratify the State ordinance of secession, it was proposed to call the new commonwealth thus formed the State of Kanawha. However, the name of Virginia was so rich in historical association that it was concluded to retain it; hence the new name West Virginia was finally adopted.

Kansas. The entire region included within the State of Kansas was a part of the Louisiana Purchase of 1803, with exception of the southwest corner, which was a part of Mexico until Texas won its independence, after which it was a part of Texas until 1850, when it was acquired by the Government. From that time until 1854 it was a part of Missouri; in that year it became a separate Territory under the provisions of the Kansas-Nebraska Bill [q. v.]. There were serious differences between anti-slavery and pro-slavery factions, leading to considerable bloodshed. The Free-State people secured the ascendency and drew up a Constitution in 1859 which prohibited slavery, and it was adopted by a large majority. On January 29, 1861, Kansas was admitted as the thirty-fourth State of the Union.



STATE SEAL OF KANSAS.

Government. The State has had but one Constitution. It may be amended by a majority vote of each branch of the Legislature and like vote of the electorate of the State. The Executive Department consists of a Governor, Lieutenant-Governor, Secretary of State, Treasurer, Attorney-General, Auditor and Superintendent of Public Instruction, each chosen for two years. The Legislature consists of a Senate of no more than forty members, chosen for four years, and a House of Representatives, limited to one hundred twenty-five members,

chosen for two years. Members of the Legislature receive $3.00 per day while in attendance upon sessions, and mileage. Sessions are held every two years. The Judicial Department is composed of a Supreme Court of seven members, elected for six years each; District Courts, each with one Judge chosen for four years, who must hold at least four sessions of Court per year in each county of his District or Circuit. There is in each county one Probate Judge, chosen for two years, and in each township two Justices of the Peace, chosen for two years.

Kansas-Nebraska Bill. The Compromise of 1850 (see Omnibus Bill) did not stop the agitation of the slavery question, although in the Congress of 1852 a resolution was adopted, declaring: "That the series of acts passed during the first session of the Thirty-first Congress, known as Compromises, are regarded as a final adjustment and a permanent settlement of the questions embraced therein, and should be maintained and executed as such." In January, 1854, Senator Stephen A. Douglas of Illinois presented a bill in the Senate for the erection of two vast Territories in certain described sections, to be called Kansas and Nebraska, and providing each with a Territorial form of government. This was in direct opposition to the spirit of the resolution above quoted, but after long and acrimonious discussions in the Senate and the House of Representatives the bill was passed, and it became a law in May of the same year. The following are some of the principal provisions of this act, which has always been known as the Kansas-Nebraska Bill:

[1] The Executive power shall be vested in a Governor appointed by the President and confirmed by the Senate.

[2] A Secretary of each Territory shall be appointed in like manner and hold his office for five years.

[3] The Legislative power shall be vested in the Governor and a legislative assembly consisting of a Council and a House of Representatives, the Council consisting of thirteen members and the House of Representatives of twenty-six.

[4] The first election of members of the legislative assembly should be held at such time and place and should be conducted in such manner as the Governor should prescribe. That officer was also empowered to

appoint inspectors of election and to direct the manner in which election returns should be made.

[5] All free white men inhabitants, twenty-one years of age and upwards, actual residents of the Territory and citizens of the United States, or having declared their intention of becoming citizens, were entitled to vote at the first election. The qualifications of voters at subsequent elections should be prescribed by the legislative assembly.

[6] Bills passed by the legislative assembly were to be submitted to the Governor for approval, but they might be passed again over a veto by two-thirds majorities.

[7] The Judicial power was to be vested in a Supreme Court, District Courts, Probate Courts and in Justices of the Peace.

[8] The first election of Delegates to Congress, and the time and places of such election were subject to the appointment and direction of the Governor.

[9] The bill also provided that all acts of Congress for the reclamation of fugitive slaves should extend to these Territories.

The section of the Kansas-Nebraska Bill which aroused the strongest opposition was the following:

"That the Constitution and all the laws of the United States which are not locally inapplicable shall have the same force and effect within the said Territory as elsewhere within the United States, except the eighth section of the act preparatory to the admission of Missouri into the Union, approved March 6, 1820, which being inconsistent with the principle of non-intervention by Congress with slavery in the States and Territories as recognized by the legislation of 1850, commonly called the Compromise Measures, is hereby declared inoperative and void; it being the true intent and meaning of this act not to legislate slavery into any Territory or State, nor to exclude it therefrom, but to leave the people thereof perfectly free to form and regulate their domestic institutions in their own way, subject only to the Constitution of the United States; provided that nothing herein contained shall be construed to revive or put in force any law or regulation which may have existed prior to the act of the 6th of March, 1820, either protecting, establishing, prohibiting or abolishing slavery."

From the day the bill was signed, the question of slavery was more than ever before a subject of discussion and sectional irritation, and in the territory affected by it, civil war ensued. The Kansas-Nebraska Bill left all the Territories of the United States open to the establishment in them of the social institutions of every State in the Union, including of course slavery. It was a virtual repeal of the Missouri Compromise [q. v.].

Kentucky. The present State of Kentucky until 1776 was a part of one of the counties of Virginia. In that year it was formed into a separate county under Virginia's jurisdiction. The first settlement was made in 1774.

STATE SEAL OF KENTUCKY.

In 1775 a scheme of colonization was inaugurated which resulted in the Indians giving up to white settlement many thousand square miles of land. In this section a colony was formed which assumed the distinction of a separate Territory and it sent a delegate to Congress. However, this delegate was not recognized, owing to Virginia's claim to the territory. The latter finally agreed to confirm the land sale, and in 1780 Kentucky was divided into three counties. Soon after, a movement was started to separate Kentucky from Virginia, but it was not successful until 1789, at which date the Territory of Kentucky was organized. In June, 1792, Kentucky was admitted as the fifteenth State of the Union.

Government. The Constitution may be amended by three-fifths of the members of each House of the Legislature, but the action must be ratified by a majority of the voters of the State. The Executive power is vested in a Governor, Lieutenant-Governor, Secretary of State, Treasurer, Auditor, Attorney-General, Superintendent of Public Instruction and Commissioner of Agriculture, all chosen for four years. The Legislature consists of a House of Representatives, limited to one hundred members chosen for two years, and a Senate of thirty-eight members, chosen for four years; one-half of the Senators retire from office every two years. The members of each House receive $5.00 per day while attending sessions, and mileage. The Judicial Department is headed by a Court of Appeals, which is practically a Supreme Court, consisting of seven members. In addition to this court there are Circuit Courts, County Courts and Justices of the Peace throughout the State.

Kentucky Resolutions. These were two series of resolutions passed in 1798 and 1799 by the Legislature of the State of Kentucky, directed against the Alien and Sedition Laws [q. v.]. They were the first definite and official expression of views known and advocated for three-quarters of a century afterwards as "States' Rights"—the supreme right of a State in many matters to be independent of the Federal Government, even to the extent of withdrawal from the Union, if desirable.

The Kentucky Resolutions protested specifically against various features of the Alien and Sedition Laws, and declared each to be void. The resolution of 1798 said—

> That whensoever the general Government assumes undelegated powers, its acts are unauthoritative, void and of no force; that to this compact (the Constitution of the United States) each State acceded as a State, and is an integral party, its co-States forming, as to itself, the other party; that the Government created by this compact was not made the exclusive or final judge of the extent of the powers delegated to itself; since that would have made its discretion, and not the Constitution, the measure of its powers; but that, as in all cases of compact among parties having no common judge, each party has an equal right to judge for itself, as well as of infractions as of the mode and measure of address.

These Resolutions were forwarded to the Legislatures of all the States; seven of these—Massachusetts, New Hampshire, Vermont, Connecticut, Rhode Island, New York, Delaware—acknowledged receipt of them, and each of the seven severely condemned the sentiment expressed. However, the Kentuckians possessed the courage to reaffirm their convictions, and in 1799 declared their fealty to the Union and to the Constitution "agreeably to its obvious and real intention." It was further declared that a nullification by the sovereign States "of all unauthorized acts done under color of that instrument (the Constitution) is the rightful remedy."

The State of Virginia, later to be perhaps the leading exponent of the doctrine of States' rights, passed similar resolutions at the same time, but they were less radical in tone.

Kicker. In the phraseology of slang, to "kick" means to show opposition, and in politics a "kicker" is a member of a party who refuses to accept with grace all party nominations

or decisions of party caucuses, which, it must be admitted, are sometimes controlled by questionable political influences. When a kicker carries his opposition to the point of withdrawing, even temporarily, from his party, he becomes a bolter [q. v.]. See Boss.

Kid-Glove Politics. When men of high morals and clean political methods enter politics to wrest control of their political party from the hands of bosses and unscrupulous partisans, their movements and acts are designated by the men whom they antagonize as "kid-glove politics." Such movements on the part of good citizens are always obnoxious to "machine politicians."

King Caucus. In each House of Congress both Republicans and Democrats hold party caucuses on all important matters affecting legislation, and it has become the unwritten law of all caucuses that the action of the majority as shown by caucus vote is binding absolutely upon all members of the party. For example, if in a caucus on a certain important measure the majority vote to sustain a proposition when it comes before the House or Senate, then every member of the party, whether present at the caucus or not, is bound by this expression to vote affirmatively on the proposition. Because of this iron-clad rule, which gives the caucus immense power, it has been aptly termed "King Caucus." See Caucus.

Kitchen Cabinet. This is a name applied to a coterie of personal friends of a President of the United States, who hold no office, but whose advice is supposed to be sought secretly by the Executive upon important matters of State. It was first applied during the administration of President Andrew Jackson, at which time it was charged that he valued the opinions of his old-time friends above the advice of the members of his Cabinet. Another term which applies to such private advisers is "the power behind the throne."

Knifing, a form of political treachery by which a person makes himself ostensibly a supporter of his party nominee for office, but who secretly votes against that candidate and privately urges his friends to adopt a like course. To preserve

his reputation as a "regular" party man, it must not appear that his efforts in a campaign are against the interests of any part of the regular ticket; his antagonism is in secret, but usually such tactics as the "knifer" employs betray his real attitude. The independent voter who has courage openly to oppose candidates for whom he cannot vote is the antithesis of the man who will not be honest with his party associates.

Know-Nothing Party, a political organization more or less secret in its development, but wielding considerable influence from about 1848 to 1856. Its platform declared for a vigorous American policy, which included the repeal of all naturalization laws, a proposal that none but native-born citizens should hold office, and a declaration of antagonism to the Church of Rome. In 1854 the party was victorious in the elections in Massachusetts and Delaware, it polled more than 125,000 votes in New York, and won recognition in many parts of the South. In 1856 it was merged with the American party.

The origin of the name of this party was due to its semi-secret character. If a member were asked by a stranger some fact relating to the organization his answer was "I don't know." So frequently was this reply heard that its opponents, in ridicule, dubbed its adherents "Know-Nothings." See AMERICAN PARTY; POLITICAL PARTIES IN THE UNITED STATES.

Ku-Klux-Klan. An organization bearing this singular name exerted wide influence throughout the Southern States immediately after the Civil War. Its purpose was to prevent the newly-emancipated negroes from exercising their rights as citizens, and thus assuming, where the blacks were strong numerically, the powers of the white man. The colored people are by nature intensely superstitious, and the "Klan" terrorized them by working upon their superstitious fears; added to this, there were whippings and tortures at dead of night, resulting in countless cases of great bodily injury. The same methods were employed, whenever possible, upon the carpet-baggers [q. v.] from the North, who encouraged the negroes to exercise their political rights. By these means undoubtedly the Southern whites retained their supremacy over the numerically

stronger blacks, and the advantage has never been surrendered. Congress investigated the numerous complaints against the Ku-Klux-Klan and passed a stringent measure against the organization, in 1871; but so secret were its operations that it was practically impossible to secure evidence against members.

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Land Grants. This is a name by which is known the gifts of land made by the Government to railroad corporations to enable them to construct their lines through sections of country where independent action would not be profitable. When there was a demand for rapid transportation to the Pacific coast after the marvelous gold discoveries in 1849 and 1850, no group of railroad builders was willing to lay, unassisted, hundreds of miles of tracks through country then practically worthless. In 1850, the first grant for railroad purposes was made, consisting of 2,500,000 acres given to the State of Illinois; that State used it to aid the Illinois Central Railroad. In 1856 Arkansas received from the Government about 2,000,000 acres which it devoted to railroad interests. The tide of improvement pointed always westward towards the gold fields, and to trans-continental lines of railroad the greatest gifts were made. The number of acres given to these roads approximated the following:

Union Pacific	2,000,000 acres
Kansas Pacific	6,000,000 acres
Central Pacific	4,600,000 acres
Oregon & California	3,500,000 acres
Southern Pacific	9,500,000 acres
Northern Pacific	47,000,000 acres
Atlantic & Pacific	42,000,000 acres

Many of these grants proved to be excessive, and public opinion so quickly turned against the policy that measures were taken to restore a part of the gifts. Over 50,000,000 acres were in time recovered and turned back into the public domain. The term "land grant" was changed to "land grab," in the vocabulary of the West. It would not be possible today for any private corporation to secure gratuities of such enormous value, no matter what the pretext. See SUBSIDIES.

Land Office. Before the Revolutionary War, the ownership of all vacant lands in the colonies was vested in the Crown. When the colonies became independent States, they succeeded

to the ownership of these vast areas, which included territory stretching westward to the Mississippi River. The boundaries of the Territories and several States were not well defined, and in a number of cases heated controversies resulted. The final solution of the difficulty was reached in the cession to the general Government of the claims of the States to this western territory. By the Louisiana Purchase, the Government came into possession of over a million square miles. The public domain was further augmented by the cession of Florida, and later by the admission of Texas, the Gadsden Purchase and the addition of the Oregon country. Excluding the public lands of the recently acquired Philippine Islands, the United States has at one time or another held in absolute ownership very nearly three million square miles of territory.

6	5	4	3	2	1
7	8	9	10	11	12
18	17	16	15	14	13
19	20	21	22	23	24
30	29	28	27	26	25
31	32	33	34	35	36

DIAGRAM OF A REGULARLY FORMED TOWNSHIP.

The public lands of the United States have been for sale at a price of $1.25 an acre, exclusive of mineral lands and other especially valuable tracts. The sale of public land is under the charge of an officer called the Commissioner of the General Land Office. This office was created in 1812, and was attached to the Treasury Department until 1849, when it was transferred to the Department of the Interior. Under the Commissioner of the General Land Office are surveyors-general, registers of land offices and receivers of land offices.

Surveyor-General. The country is divided into seventeen districts for the care of public lands, and each district is under the supervision of a surveyor-general. Under his direction all the land in his territory is accurately surveyed and described, and thus prepared for sale. The National System of Surveys provides that the land shall be divided into ranges, townships, and sections. The ranges are bounded by meridian lines six miles apart, and are numbered east and west from a principal meridian. The townships are made six miles square in all regularly divided counties, and are numbered north and south

from a given parallel. Townships are divided into thirty-six sections, each of one square mile or 640 acres. The sections are divided into quarters, which are again subdivided into eighths and sixteenths. By the Ordinance of 1785, establishing the system of surveys by ranges and townships, the sections of a township were numbered from south to north. The northeast section is always numbered 1, and the southeast section is numbered 36.

Register. In each land district there is a register who receives application for lands in his district and files receipts for payments which have been handed him by the receiver. Upon the date of final payment for any parcel of land, he gives to the purchaser a certificate which entitles him to a deed from the United States Government, duly signed in the Executive Department at Washington.

Receiver. This officer receives money for various payments on lands, gives receipts therefor, and passes the payments over to the register.

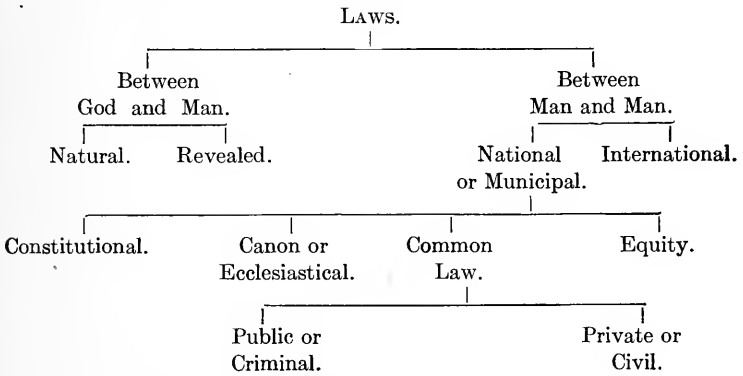
Larceny. To unlawfully take and carry away property belonging to another person constitutes larceny. However, before a conviction on the charge of larceny can be secured against an accused person, it must be proved that he took the property with felonious intent, proposing to convert it to his own private use. There are two kinds, or degrees, of larceny, described below:

Petit Larceny. If the value of the chattels feloniously appropriated is quite small, the offense charged is called petit larceny. In some States the maximum value is placed at five dollars; in others, not more than twenty dollars. The laws of many States class petit larcenies as misdemeanors only. Such charges carry penalties, upon conviction, of fines or jail sentences. See MISDEMEANORS.

Grand Larceny. If the property feloniously taken exceed the maximum amount included in a petit larceny, the offense is grand larceny. In all States grand larceny is a felony, and upon conviction, the guilty person may be sentenced to the penitentiary. See FELONY.

Late Unpleasantness, THE, is a phrase used in an euphemistic sense, to denote the Civil War between the States.

Law, a rule of action established by recognized authority, to enforce justice and direct citizens or subjects in the line of duty. It is the aggregate of those rules and principles of conduct which the governing power in a community enforces and sanctions, and according to which it regulates, limits or protects the conduct of its members. Law includes the acts of the Legislative authority and the Constitution of the State, and also, in a more limited sense, the reports of adjudicated cases and text-books on jurisprudence. The following distribution of law is that made by Wharton, in his "Law Lexicon":



Laws originated in custom, in precedents arising from continued repetition of actions, or in the forbearance from action of individuals or tribes; obviously, the necessity of establishing tribunals for settling disputes followed in time. The decisions of these tribunals gave to precedents a much greater force than they theretofore enjoyed. So it is clear many established laws were the outgrowth of what previous customs had been. Gradually these tribunals proposed new sets of rules not founded upon precedence entirely, but upon common sense. Here was the origin of the law of equity [q. v.]. It was not a long step from this point to the establishment of a special law-making body, or Legislature. The three great branches of law, then, were developed in the following order: common law, or the law of

custom; equity, or the law of right; and statutory law, the product of Legislative action.

Another division of laws is sometimes made as follows: public law, which deals with the State and its relations, and private law, which has to do with private persons and private property. International law, constitutional law and administrative law are still further modifications of these subdivisions. See COMMON LAW; INTERNATIONAL LAW; STATUTES; BILL; ACT.

Law of Nations, another name for international law [q. v.].

Laws, SUMPTUARY. See SUMPTUARY LAWS.

Laying Wires. A politician who makes extensive plans and preparations to accomplish certain ends, such as his re-election to the office he holds, or who seeks by every possible means some political advantage, is said to be "laying wires." Another term for such activity is "wire pulling."

Lease, a legal form by which property is temporarily placed in the hands of another person than the owner, for his use. There is no legal form prescribed for leases; any intelligible wording is accepted, but usually in a State one commonly accepted form is used.

Lecompton Constitution. In the years immediately preceding the Civil War the people of Kansas, by a safe majority vote, were of the Free State party and thus opposed the admission of Kansas to the Union as a slave State. However, by importation of Southern sympathizers from Missouri at election times and illegally voting them, a pro-slavery Legislature was regularly chosen. The election of 1857 was fought bitterly and won by the Free State party, whereupon the old Legislature left the capital city, re-organized at Lecompton and framed a pro-slavery Constitution. The new Free State Legislature, assured of its strength with the people, placed the matter before the electorate for decision; the Lecompton document was defeated, although favored by President Buchanan and the majority of the United States Senate. The interference of the Federal Government had been sought in vain, and Kansas became a free State.

Legal Holidays. All the States of the Union do not observe the same days of the year as holidays. There is a wide diversity in this regard, but the practice of observing the most important holidays is common throughout the country. The holidays legalized in the various States are as follows:

Alabama—Jan. 1; Jan. 19 (Lee's birthday); Feb. 22; Mardi Gras (the day before Ash Wednesday, first day of Lent); Good Friday (the Friday before Easter); April 26 (Confederate Memorial day); June 3 (Jefferson Davis' birthday); July 4; Labor day (first Monday in September); Thanksgiving day (last Thursday in November); Dec. 25.

Alaska—Jan. 1; Feb. 22; May 30 (Decoration day); July 4; Thanksgiving day; Dec. 25.

Arizona—Jan. 1; Arbor day (first Monday in February); Feb. 22; May 30; July 4; general election day; Thanksgiving day; Dec. 25.

Arkansas—Jan. 1; Feb. 22; July 4; Thanksgiving day; Dec. 25.

California—Jan. 1; Feb. 22; May 30; July 4; Sept. 9 (Admission day); Labor day (first Monday in September); general election day in November; Thanksgiving day; Dec. 25.

Colorado—Jan. 1; Feb. 22; Arbor and School day (third Friday in April); May 30; July 4; first Monday in September; general election day; Thanksgiving day; Dec. 25; every Saturday afternoon from June 1 to Aug. 31 in the city of Denver.

Connecticut—Jan. 1; Feb. 12 (Lincoln's birthday); Feb. 22; Good Friday; May 30; July 4; Labor day (first Monday in September); Thanksgiving day; Dec. 25.

Delaware—Jan. 1; Feb. 12; Feb. 22; May 30; July 4; first Monday in September; Thanksgiving day; Dec. 25.

District of Columbia—Jan. 1; Feb. 22; March 4 (Inauguration day); May 30; July 4; first Monday in September; Thanksgiving day; Dec. 25.

Florida—Jan. 1; Jan. 19 (Lee's birthday); Arbor day (first Friday in February); Feb. 22; April 26 (Confederate Memorial day); June 3 (Jefferson Davis' birthday); July 4; first Monday in September; Thanksgiving day; general election day; Dec. 25.

Georgia—Jan. 1; Jan. 19 (Lee's birthday); Feb. 22; April 26 (Confederate Memorial day); June 3 (Jefferson Davis' birthday); July 4; first Monday in September; Thanksgiving day; Arbor day (first Friday in December); Dec. 25.

Idaho—Jan. 1; Feb. 22; Arbor day (first Friday after May 1); July 4; first Monday in September; general election day; Thanksgiving day; Dec. 25.

Illinois—Jan. 1; Feb. 12 (Lincoln's birthday); Feb. 22; May 30; July 4; Labor day (first Monday in September); general, state, county and city election days; Saturday afternoons; Thanksgiving day; Dec. 25;

Arbor, Bird and Flag days are appointed by the governor. The two first named come together and are usually fixed for the middle of April. Flag day comes about the middle of June.

Indiana—Jan. 1; Feb. 22; May 30; July 4; first Monday in September; general election day; Thanksgiving day; Dec. 25.

Iowa—Jan. 1; Feb. 22; May 30; July 4; first Monday in September; general election day; Thanksgiving day; Dec. 25.

Kansas—The only holidays by statute are Feb. 22; May 30; Labor day (first Monday in September) and Arbor day; but the days commonly observed in other states are holidays by common consent.

Kentucky—Jan. 1; Feb. 22; May 30; first Monday in September; Thanksgiving day; general election day; Dec. 25.

Louisiana—Jan. 1; Jan. 8 (anniversary of the battle of New Orleans); Feb. 22; Mardi Gras (day before Ash Wednesday); Good Friday (Friday before Easter); April 26 (Confederate Memorial day); July 4; Nov. 1 (All Saints' day); general election day; fourth Saturday in November (Labor day, in the parish of New Orleans only); Dec. 25; every Saturday afternoon in New Orleans.

Maine—Jan. 1; Feb. 22; Good Friday; May 30; July 4; Labor day; Thanksgiving day; Dec. 25.

Maryland—Jan. 1; Feb. 22; May 30; July 4; first Monday in September; Sept. 12 (Defenders' day); general election day; Dec. 25; every Saturday afternoon.

Massachusetts—Feb. 22; April 19 (Patriots' day); May 30; July 4; first Monday in September; Thanksgiving day; Dec. 25.

Michigan—Jan. 1; Feb. 22; May 30; July 4; first Monday in September; Thanksgiving day; Dec. 25.

Minnesota—Jan. 1; Feb. 12; Feb. 22; Good Friday (Friday before Easter); May 30; July 4; first Monday in September; Thanksgiving day; general election day; Dec. 25; Arbor day (as appointed by the governor).

Mississippi—First Monday in September; by common consent July 4, Thanksgiving day and Dec. 25 are observed as holidays.

Missouri—Jan. 1; Feb. 22; May 30; July 4; Labor day; general election day; Thanksgiving day; Dec. 25; every Saturday afternoon in cities of 100,000 or more inhabitants.

Montana—Jan. 1; Feb. 22; Arbor day (third Tuesday in April); May 30; July 4; first Monday in September; general election day; Thanksgiving day; Dec. 25; any day appointed by the governor as a fast day.

Nebraska—Jan. 1; Feb. 22; Arbor day (April 22); May 30; July 4; first Monday in September; Thanksgiving day; Dec. 25.

Nevada—Jan. 1; Feb. 22; July 4; Thanksgiving day; Dec. 25.

New Hampshire—Feb. 22; fast day appointed by the governor; May 30; July 4; first Monday in September; Thanksgiving day; general election day; Dec. 25.

New Jersey—Jan. 1; Feb. 12; Feb. 22; May 30; July 4; first Monday in September; general election day; Thanksgiving and fast days, and every Saturday afternoon.

New Mexico—Jan. 1; July 4; Thanksgiving and fast days; Dec. 25; Declaration, Labor and Arbor days appointed by the governor.

New York—Jan. 1; Feb. 12; Feb. 22; May 30; July 4; first Monday in September; general election day; Thanksgiving and fast days; Dec. 25; every Saturday afternoon.

North Carolina—Jan. 1; Jan. 19 (Lee's birthday); May 10 (Confederate Memorial day); May 20 (anniversary of the signing of the Mecklenburg declaration of independence); July 4; state election day in August; first Thursday in September (Labor day); Thanksgiving day; Dec. 25; every Saturday afternoon.

North Dakota—Jan. 1; Feb. 12; Feb. 22; May 30; July 4; Arbor day (when appointed by the governor); general election day; Thanksgiving day; Dec. 25.

Ohio—Jan. 1; Feb. 22; May 30; July 4; first Monday in September; general election day; Thanksgiving day; Dec. 25; every Saturday afternoon in cities of 50,000 or more inhabitants.

Oklahoma—Jan. 1; Feb. 22; May 30; July 4; general election day; Thanksgiving day; Dec. 25. Others are expected to be named by the Legislature; Labor day is sure to be provided for.

Oregon—Jan. 1; Feb. 22; May 30; first Saturday in June; July 4; first Monday in September; general election day; Thanksgiving day; public fast day; Dec. 25.

Pennsylvania—Jan. 1; Feb. 12; Feb. 22; May 30; Good Friday; July 4; first Monday in September; general election day; Thanksgiving day; Dec. 25; every Saturday afternoon.

Philippines—Jan. 1; Feb. 22; Thursday and Friday of Holy week; July 4; Aug. 13; Thanksgiving day; Dec. 25; Dec. 30.

Porto Rico—Jan. 1; Feb. 22; Good Friday; May 30; July 4; July 25 (Landing day); Thanksgiving day; Dec. 25.

Rhode Island—Jan. 1; Feb. 22; second Friday in May (Arbor day); May 30; July 4; first Monday in September; general election day; Thanksgiving day; Dec. 25.

South Carolina—Jan. 1; Jan. 19 (Lee's birthday); Feb. 22; May 10 (Confederate Memorial day); June 3 (Jefferson Davis' birthday); general election day; Thanksgiving day; Dec. 25, 26, 27.

South Dakota—Same as in North Dakota.

Tennessee—Jan. 1; Good Friday; May 30; July 4; first Monday in September; general election day; Thanksgiving day; Dec. 25; every Saturday afternoon.

Texas—Jan. 1; Feb. 22 (Arbor day); March 2 (anniversary of Texas independence); April 21 (anniversary of battle of San Jacinto); July 4;

first Monday in September; general election day; appointed fast days; Thanksgiving day; Dec. 25.

Utah—Jan. 1; Feb. 22; April 15 (Arbor day); May 30; July 4; July 24 (Pioneer day); first Monday in September; Thanksgiving day and appointed fast days; Dec. 25.

Vermont—Jan. 1; Feb. 22; May 30; July 4; Aug. 16 (Bennington Battle day); Labor day; Thanksgiving day; Dec. 25.

Virginia—Jan. 1; Jan. 19 (Lee's birthday); Feb. 22; July 4; first Monday in September; Thanksgiving and appointed fast days; Dec. 25; every Saturday afternoon.

Washington—Jan. 1; Feb. 12; (Lincoln's birthday) Feb. 22; May 30; July 4; first Monday in September; general election day; Thanksgiving day; Dec. 25.

West Virginia—Jan. 1; Feb. 12; Feb. 22; May 30; July 4; Labor day; general election day; Thanksgiving day; Dec. 25.

Wisconsin—Jan. 1; Feb. 22; May 30; July 4; first Monday in September; general election day; Thanksgiving day; Dec. 25.

Wyoming—Jan. 1; Feb. 12; Feb. 22; May 30; July 4; first Monday in September; general election day; Dec. 25.

The National holidays, such as July 4, New Years, etc., are such by general custom and observance and not because of Congressional legislation. Congress has passed no laws establishing holidays for the whole country. It has made Labor day a holiday in the District of Columbia, but the law is of no effect elsewhere.

Legal Tender. Any coin or paper money that the Government accepts for the payment of all debts, or which it is decreed shall be accepted by all persons in payment of debts, public or private, is called legal tender. If a debtor offers to a creditor money in such form as the Government recognizes as good and sufficient, such offer of payment is said to be a legal tender of payment. Money so offered a creditor at the proper hour of day, and in the proper place, cannot be legally refused. If refused, the debtor is released from obligation to make another tender and the creditor must then call upon the debtor if he would secure his payment. By the statutes of the United States, the following moneys are legal tender: gold coins; silver dollars, up to the number of twenty-five, except where otherwise expressly stipulated in the contract; silver coins, of denominations smaller than one dollar, in sums not exceeding

ten dollars, unless there is stipulation to the contrary in the contract; the five-cent piece and penny are legal tender in sums not exceeding twenty-five cents. The United States trade dollar, now no longer coined, and all foreign coins, are not legal tender. United States Treasury notes of various kinds and notes issued on silver bullion under the act of 1890 are also legal tender. The power of the United States to make paper currency legal tender in times of peace as well as in times of war has been sustained by the Supreme Court. But it has been held that where a contract stipulates for payment in coin, the legal tender acts do not enable the debtor to tender payment in paper or in any currency other than that agreed upon. The Constitution prohibits the several States of the Union from making anything except gold and silver coin a legal tender in payment of debts. This statement seems strange in the face of the well-known fact that paper money of all kinds is accepted as full legal tender of all private debts, but this is due to the absolute confidence of the people in the stability of the Government to meet its obligations, and to the further fact that any kind of paper money is quickly convertible at any National bank or subtreasury into legal tender. The time probably will never arrive when people will refuse to accept as legal tender any form of money authorized for any purpose under the Government. See MONEY; BANK NOTES; CURRENCY.

Legate. A legate is a person accredited by one nation as its diplomatic representative to the Court or Government of another nation; the term is another name for Ambassador [q. v.].

Legate a latere is a Catholic cardinal acting temporarily as a plenipotentiary [q. v.] of the Holy See at a political capital.

Nuncio. A nuncio is a Catholic high official serving by appointment of the Pope as Minister or Ambassador to a civil government.

The United States does not officially recognize representatives of the Holy See.

Legatee. A legatee is a person to whom personal property is bequeathed by will.

Legation. The person or persons officially accredited as diplomatic representatives of a nation, including the Ambassador or Minister, and all attaches and secretaries, is called a legation. The name is also applied to the official foreign residence of an Ambassador or Minister. The United States owns no property abroad for use as the homes of its diplomatic representatives. The opposite is true of many European countries with representatives regularly accredited to the United States. In the city of Washington many countries own imposing buildings which are given entirely to the use of their legations.

Legislative Department. A Legislature is the law-making department of a country or State. In the United States Government, the Constitution (Article I, Section 1) provides that all Legislative authority "shall be vested in a Congress of the United States, which shall consist of a Senate and a House of Representatives." Each State Government is patterned very largely upon the Constitution of the United States; it therefore follows that the law-making department of a State should consist of two branches similar to the two Houses of the National Congress.

United States. Congress is composed of the two branches named above, and their duties are co-ordinate, except that upon the Senate are placed certain responsibilities, such as making treaties and confirming Presidential appointments, which are not shared by the House of Representatives. The Senate is composed of two members from each State of the Union. This number cannot be increased nor diminished by any Legislative enactment. The number of Senators at present is ninety-two, representing forty-six States. It sometimes occurs, however, that there is not full representation in the Senate, owing to the failure of some State to elect a Senator to fill a vacancy, or failure to elect a successor to a member whose term has expired. The House of Representatives, by the apportionment of 1900, effective from 1903 to 1913, was given 386 members. This has been increased by the admission of Oklahoma and Indian Territory as the State of Oklahoma. Senators are elected by the State Legislatures, each for a term of six years; the terms of

one-third of the members of the Senate expire every two years; thus there are retained at all times two-thirds of the members who have experience in legislation in the upper House.

The term of a member of the House of Representatives is for two years, the period of existence of one Congress. He secures his election by direct vote of the people of that part of his own State comprising the Congressional District which he serves, and he must, if he wishes to retain his membership in the House, appeal to his constituency for re-election.

The plan of the framers of the Constitution seems admirable with respect to the methods of election of Senators and Representatives. Senators do not owe their election directly to the people, and therefore may be depended upon in times of turbulence to exercise deliberation of action in reaching decisions, not moved to quick action by whatever opinions hold temporary sway throughout the country. Such an attitude as the Senate is therefore able to bring to bear upon momentous questions is likely to prevent ill-advised legislation. The House of Representatives, on the other hand, coming directly from the people at two-year intervals, is quick to feel the pressure of public opinion, and this opinion is reflected in its official acts. If the Senate is inclined to be too conservative, the House, responsive to the sentiment of the day, may oftentimes bring pressure to bear, resulting in effective legislation. In this respect each House exercises a salutary influence upon the other. Congress meets in session every year, on the first Monday in December. For additional information on the general subject of this article, see HOUSE OF REPRESENTATIVES; SENATE; CHECKS ON GOVERNMENT.

State. The numerical strength of a State Legislature is prescribed by the State Constitution. The Senate of some States is composed of as few as fifteen members, and in other States of as many as fifty members. A House of Representatives may number no more than thirty members, or may have as many as two hundred members. The Legislature of a State passes all State laws in the same manner in which the Congress of the United States passes laws affecting the general Govern-

ment, but here the similarity practically ends, although in most States certain officers appointed by the Governor must be confirmed by the Senate. Usually the members of each House of a State Legislature hold office for two years, although in some States Senators are given a four-year term, half of them retiring every two years.

Legislature. See LEGISLATIVE DEPARTMENT. subhead *State.*

Letters of Marque and Reprisal. See MARQUE AND REPRISAL, LETTERS OF.

Letters Patent. See PATENT.

Levy, the seizure of property by an officer of the law, to satisfy a claim judicially sustained. The term is also applied to the goods or property taken by levy.

Libel consists in malicious statements which are written and published. It differs from slander in that the latter is anything uttered with malicious intent, but not written or printed. Libel, then, is written or printed slander. The laws have declared that anything is libel which is expressed either in print or in writing, or by songs or pictures, tending to injure the memory of a person dead or the reputation of one living, and exposing him to public hatred, contempt or ridicule. Libel is punishable under the laws of every State, and statutes governing the subject are among the safeguards of the people against undue freedom of the press. See FREEDOM OF SPEECH.

Liberal Republican Party. That faction of the Republican party in 1871 which opposed the candidacy of President Grant formed the Liberal Republican organization, and the next year, to emphasize its disapproval, fused with the Democrats. The charge was made that in the enforcement of the laws much favoritism was shown the adherents of General Grant; that no serious effort was being put forth to prevent a war of the races in the South, an event which seemed imminent; also that Grant, if unhindered, would establish practically a military dictatorship. Besides opposing the above principles, the Liberal Republicans advocated civil service reform, universal suffrage and amnesty. Within four years the party disappeared,

not able to survive the disastrous defeat inflicted in the Greeley campaign. See POLITICAL PARTIES IN THE UNITED STATES.

Liberty Cap. See CAP OF LIBERTY.

Liberty Cap Cent. Between the passage of the act of Congress authorizing a mint of the United States and the date upon which the law became effective, several specimen coins, or "patterns," were stamped. These are all very rare at the present day and are worth in some instances many dollars. Probably the rarest is the "liberty cap cent." It presents on one side a profile of Washington, together with his name; the reverse side displays a liberty cap in the center, with rays of light extending from it; around the edge are the words, "Success to the United States." See CAP OF LIBERTY.

LIBERTY CAP CENT.

Liberty of Speech. See FREEDOM OF SPEECH.

Liberty of the Press. See FREEDOM OF SPEECH.

Liberty Party. Those who began publicly to oppose slavery, about 1840, were not united as to the manner of procedure to secure results most quickly. Many proposed by agitation merely to arouse a strong anti-slavery sentiment; others were determined to make the question a political issue. The Liberty party was formed by this latter faction, and it placed in the field National tickets in 1840 and 1844. Fewer than 10,000 votes were cast for its nominees in the year first named, and only about 16,000 in 1844. Four years later it merged with the Free-Soil [q. v.] party. See POLITICAL PARTIES IN THE UNITED STATES.

Library of Congress. The Library of Congress was established in 1800, with the intention at first that it should serve the needs of Senators and Representatives only; but its scope has been greatly enlarged during the years since it was replenished in 1814, after having been destroyed when the capital was burned. In the latter year Congress purchased for it the library of Thomas Jefferson, 6,760 volumes, for $23,950. In

1851 the Library again was destroyed by fire, more than 35,000 volumes being lost. Since then Congress has made regular appropriations for its maintenance and development; it has since about 1860 received two copies of every book and pamphlet which has been copyrighted in the United States and has been, also, the recipient of gifts of many rare and valuable books. It comprises more than a million and a half books and pamphlets, 28,000 manuscripts, 56,000 charts and maps, 300,000 pieces of music, and nearly 100,000 illustrations, engravings and lithographs. It is rich in Federal documents, historical works, political science, important files of early American papers, etc. In 1897 the collection was removed from the Capitol, where it had been located for nearly 100 years, and placed in the new Congressional Library, built at a cost of over $6,000,000, exclusive of the land value of nearly $600,000. The value of building and grounds, not including contents, is $6,932,000. It is the largest and most magnificent library building in the world.

Lien, a hold or claim which one person has upon the property of another, as a security for some debt. In every case in which either real or personal property is charged with the payment of an obligation, every such charge may be denominated a lien on the property. A lien is not a title to the property, as all rights are released at any time by payment of the sum for which the lien attaches. The technical name for a lien on real estate is mortgage [q. v.], in which instance the property mortgaged naturally remains in the hands of the debtor. Personal property pledged for a debt may be left in the hands of the debtor, or it may be turned over to the creditor, to be held personally by him until such time as the debt is paid.

Lieutenant, a commissioned officer of the army or navy of the United States. In the army there are two grades of Lieutenants, namely, Second Lieutenant, which is the lowest commissioned officer of the army, and First Lieutenant, who ranks immediately below Captain. The pay for a Second Lieutenant ranges from $1,400 to $2,100, by a graduated scale, determined by length of service. In the navy the Lieutenant is in authority

above masters and ensigns, and immediately below Lieutenant-Commanders. The salary of a Lieutenant in the navy ranges from $2,400 to $2,600. His rank is comparable to that of Captain of the army. Every graduate of the military academy at West Point who enters the army becomes Second Lieutenant. Upon graduation from Annapolis, the cadet must serve four years in the United States Navy, first as ensign, from which position by degrees he is advanced to the rank of Lieutenant, if he remains in the service. See COMPARATIVE RANK IN ARMY AND NAVY.

Lieutenant=Colonel. In the United States army, the commissioned officer ranking next below Colonel is Lieutenant-Colonel. He is the second in command of a regiment, being inferior in rank in his regiment to the Colonel only. The salary of a Lieutenant-Colonel ranges from $3,000 to $4,000, according to term of service. The corresponding naval officer is Commander, who ranks below the ship's Captain. See COMPARATIVE RANK IN ARMY AND NAVY.

Lieutenant=Commander. In the United States navy, that commissioned officer ranking between a Commander and Lieutenant is a Lieutenant-Commander. The corresponding rank in the army is that of Major, who ranks between Lieutenant-Colonel and Captain. The salary of a Lieutenant-Commander is $2,800 per year. See COMPARTAIVE RANK IN ARMY AND NAVY.

Lieutenant=General. In the United States army, the Lieutenant-General is in rank next below General of the Army, and is therefore second in authority in the military establishment. It is seldom, however, that an appointment is made of the rank of General of the Army or Lieutenant-General. The grade of Lieutenant-General was created in 1798, abolished the next year, revived in 1855 in order that General Scott might be honored with appointment to this rank; it was abolished again in 1861, upon the death of Scott, and revived in 1864 for the benefit of Generals Grant, Sherman and Sheridan, and abolished in 1870. During these six years the three officers named rose from the grade of Lieutenant-General to General

of the Army. From 1870 to 1895 the grade was abolished, but in the latter year was revived, and General Scofield was given the honor. Upon his retirement, his successors were raised to the grade of Lieutenant-General, which grade continues to the present day. The Lieutenant-General ranks above Major-General; the salary is $11,000 per year. The corresponding grade in the navy is that of Vice-Admiral, who ranks between Admiral and Rear-Admiral. See COMPARATIVE RANK IN ARMY AND NAVY.

Life-Saving Service, a branch of the Federal Government, under the direction of the Treasury Department, established to save the lives of sailors and passengers on the waters of the United States and to protect and save property in wrecks occurring near the shore. The establishment of this very humane undertaking was the outgrowth of a sentiment which developed after a series of fearful disasters along the Atlantic coast preceding the year 1850. In that year an appropriation of $10,000 was made by Congress for the purpose of lessening losses, if possible; eight small buildings were erected at dangerous points along the coast, with small crews of men to patrol the shore and render all possible aid. The plan was applauded and the service was extended rapidly, for it more than met the expectations of its promoters. Today more than 12,000 miles of ocean, gulfs and lakes are under the watchful eye of the service, and the annual appropriation for maintenance is over $1,500,000.

Limited Monarchy. See MONARCHY.

Lincoln Brotherhood, the name of an organization no longer in existence; applied formerly to groups of negroes who formed themselves into societies during the period of reconstruction after the Civil War, for the purpose of protecting themselves in their newly acquired rights as citizens.

Line Officer. For the different designations of army grades, see FIELD OFFICER.

Lobby is the name applied to a collection of men or women who make a business of influencing the votes of legislators on important measures. It is popularly believed that the word

lobbyist is synonymous with corruption, but this is not necessarily true. If fully written, the history of the lobby, or "Third House," as it is sometimes called, would show that many needed measures have become laws which otherwise would have been defeated had it not been for such activity. The people constituting the lobby are called lobbyists; it is not denied that they are frequently employed by corporations whose commercial interests may be affected by legislation. The term lobby means anteroom, and is used in this connection because lobbyists habitually throng rooms and halls adjoining meeting places of Congress and Legislatures.

Local Option. The right of a village, township, county or larger civic division to determine for itself the conditions under which intoxicating liquors shall be sold, or whether the traffic shall be entirely prohibited, is called local option. The term means the right of local choice. In our political history it has no significance other than in its relation to the saloon question. The prohibitionists and temperance people of other political parties naturally seek to enjoin prohibition upon a whole State. Failing in this, they attempt to secure legislation which will make it possible for any given political division in a State to vote upon the liquor question independently of all other parts of the State. This method of bringing about prohibition is very popular. In more than one-fourth of the area of the United States absolute prohibition prevails, through local option efforts. In many States from one-third to two-thirds of the counties have prohibited saloons, and in some States prohibition laws are in force; it is estimated that if the success that has attended the movement since 1900 should continue unabated, by 1920 the greater part of the United States will be strictly prohibition territory. See High License; Prohibition.

Loco=Focos. This was a name given to a radical section of the Democratic party in the year 1835, known as the Equal Rights party. The name came to be applied in this way: During an excited meeting of the Equal Rights party in Tammany Hall in New York, in the year above named, there was much confusion, and to bring the meeting to a sudden,

undignified close, the lighted candles were extinguished. They were, however, quickly relighted, with a kind of match at the time popularly called a loco-foco match. The name was immediately applied to the adherents of the party by its opponents. See POLITICAL PARTIES IN THE UNITED STATES.

Log Cabin Campaign. See HARD CIDER CAMPAIGN.

Log Rolling. This is a strangely applied term relating to the efforts sometimes made by a member of a Legislative body to pass a bill in which he is interested. It is often impossible to secure support by direct appeal without promise of support in return to other members on measures in which the others are interested. Therefore, Legislator A, in order to secure votes for his favored measure, will promise to Legislators B, C, D, and others, his vote on bills in which they are interested, if they will favor him with votes that he needs to pass his bill. The term is derived from the custom of men, in cutting timber, in aiding each other in rolling heavy logs from the forest to the water.

London Company, a corporation chartered in 1606 in England, for the purpose of planting colonies in America. Its character changed in 1609 to a joint stock company and thereafter it was officially known as "The Treasurer and Company of Adventurers and Planters of the City of London for the First Colony in Virginia." The original company was empowered to establish a colony between 34° and 38° north latitude. The reorganized group of "Adventurers and Planters" settled Jamestown in 1607, and they administered its affairs for seventeen years.

Long Session of Congress. See CONGRESS.

Loose Construction. See CONSTRUCTION OF THE CONSTITUTION.

Louisiana. La Salle's explorations down the Mississippi River to its mouth gave France a just title to the territory adjacent to that stream. In 1712 Louis XIV named the vast tract Louisiana, in honor of himself. The French remained in possession until 1762, when it was ceded to Spain, by a secret treaty. In 1800 it was retroceded to France, who kept

it for nearly three years. In 1803 the United States acquired the whole vast French possessions west of the Mississippi, both the territory and the diplomatic act by which it was acquired being called the Louisiana Purchase [q. v.]. The next year the tract was partitioned into two governments—the Territory of Orleans and the District of Louisiana. The former embraced nearly all of what is now Louisiana; the latter, the remainder of the Louisiana Purchase. In April, 1812, the Territory of Orleans became the State of Louisiana, and in 1814 the District of Louisiana was changed in name to Missouri Territory.

STATE SEAL OF LOUISIANA.

Government. Louisiana has had five Constitutions—in 1812, 1845, 1852, 1868, and 1898. The document adopted in 1845 provided for the election of the Governor by direct vote of the people; that of 1852 provided that Judges, except of the Supreme Court, should be chosen in the same manner. A new Constitution in 1868 was a necessity growing out of the results of the Civil War; that of 1898 was demanded to place such restrictions around the ballot that negroes would be practically disfranchised. The present Constitution was amended slightly in 1900, 1902 and 1904; this change may be made in the basic law by two-thirds' vote of each House of the Legislature, followed by ratification by majority vote of the people. A male citizen of the United States may vote if he has been in the State two years, in the parish (county) one year, and in the precinct six months, provided he can show ability to read and write, by filling out a registration blank, or if he can schedule property valued at not less than $300, on which all taxes have been paid. Upon questions of taxation which may be submitted to vote, women of legal age may vote, without registration.

The Executive Department is composed of a Governor, Lieutenant-Governor, Treasurer, Auditor, Secretary of State and Superintendent of Public Instruction, all elected for terms

of four years. The Legislative Department is composed of a Senate of not more than forty-one members and a House of Representatives numbering not more than 116 members; their terms are also four years. The Legislature meets biennially, and its members receive $5 per day and mileage, each session being limited to sixty days. The Judicial power is vested in a Supreme Court of five members, each appointed by the Governor for a term of twelve years; in a Court of Appeals, and in District Courts, the judges being elected for terms of nine years. There are also Justice Courts and special courts for the city of New Orleans. The laws of the State are based on the Code Napoleon, a legacy from French ownership and control.

Louisiana Purchase. During the early years of our National history, Spain owned the immense area west of the Mississippi River and both shores of that stream at its mouth. In 1795 a treaty was negotiated by which the people of the United States were granted free use of the river and the right to use one city as a place of deposit for merchandise. Five years later a secret treaty transferred Louisiana from Spain to France, and we witnessed at once quarrels between the two countries over various matters connected with their New World possessions. It was apparent that in case of war the Mississippi would be blockaded and our interests would suffer. The whole nation insisted that the Government should take some action which would forever assure the safety of American commerce along the then western waterway. Congress responded by appropriating $2,000,000 for the purchase of New Orleans, and President Jefferson sent James Monroe to act with our minister to France in arranging the purchase. Napoleon Bonaparte, who was supreme in France, needed money to advance his ambitious designs, and he proposed that the United States buy the whole of Louisiana. Without Constitutional warrant, and beyond the authority of Congress, the commissioners reached an agreement, by which for the whole territory France was to receive $15,000,000 and certain small interest payments. The people rejoiced that the great waterway was thus permanently

secured to America, but they little dreamed of the incalculable value of the purchase. The act of the commissioners was deemed by strict constructionists to be unconstitutional, because there was in the Constitution no provision for extension of our domain by such methods (see CONSTRUCTION OF THE CONSTITUTION); even President Jefferson concurred in this opinion and recommended an amendment which by retroaction should legalize the purchase. Such a step never was taken, however, for the transfer had been consummated and there seemed no urgent necessity for it. The termination of the argument greatly strengthened the faction in the nation which believed in liberal construction of the Constitution and served to emphasize the doctrine of implied powers.

Portions of the boundary line of the Louisiana Purchase were in dispute for some years, but by treaties with Spain in 1819, and with Great Britain in 1846, all differences were satisfactorily adjusted. The region comprised the territory east of the Mississippi to the Perdido River south of the thirty-first degree of north latitude, and west of the Mississippi all of the present States of Louisiana, Missouri, Arkansas, Iowa, Nebraska, the two Dakotas, Montana, Idaho, Washington, all of Minnesota west of the Mississippi, the portions of Wyoming and Colorado east of the main range of the Rocky Mountains, nearly all of Kansas and a small strip in Oklahoma. By comparison with most European countries each of these States is an empire.

Of the purchase the President said at the time, "We have lived long, but this is the noblest work of our whole lives." Bonaparte, unusually gifted with political astuteness, declared that he had given to England "a maritime rival that will sooner or later humble her pride."

Lynch Law. Lynch law is a term derived from the name of Charles Lynch, a patriotic Virginian of the Revolutionary period, who punished lawless persons in a summary manner. Courts of justice were rare, and acts of outlawry not uncommon. To protect peaceable citizens in the enjoyment of their rights and privileges, it seemed wise to Mr. Lynch and his followers

to take matters of justice into their own hands. Lynch law is now applied to the capture and killing, by hanging or shooting, of criminals who are self-confessed, or against whom proof is conclusive, without application to courts of justice. See JUDGE LYNCH.

M

McKinley Bill, a very important tariff bill which became a law by receiving the signature of President Benjamin Harrison on October 1, 1890. This tariff received its name, as is usual in such cases, from the name of the chairman of the Committee of Ways and Means in the House of Representatives, in the Congress then in session; this was William McKinley, later President of the United States.

The McKinley Bill lowered tariff duties on a few articles of import, such as steel rails, structural iron and iron, but in other respects it was a pronounced high tariff act. It takes its place in history as the most conspicuous of all high tariff acts, and it was doubtless responsible for the defeat of the Republican party in 1892, because of the charge of the opponents of the measure that it increased the cost of living. It was succeeded in 1894 by the Wilson Bill [q. v.]. See WAYS AND MEANS, COMMITTEE OF.

Mace. A mace is a club-shaped staff used in Legislative bodies as an emblem of authority. In the English House of Parliament it occupies a prominent position during every session, but in the United States Congress it is rarely seen. The only occasions on which it appears is when members forget decorum and engage in hot debate or personal encounters beyond control of the presiding officer. At such times the Sergeant-at-Arms carries the mace down the center aisle and places it in full view of all members or carries it between two turbulent and disturbing members. Its presence commands peace. Refusal to obey this demand for quiet and order places the offending persons in contempt of the House of which they are members. See SERGEANT-AT-ARMS.

Machine, THE. When any local organization of a political party falls into the hands of politicians who use their powers more for the advancement of their own personal interests than for the good of the public, said organization is popularly termed "the machine." Doubtless its derivation can be traced to

Aaron Burr's reference to "the machinery of a party." He did not use the word in an opprobrious sense.

Magazine, the name given to a strong building in which powder and other military stores are kept by the Government. See ARSENAL.

Magna Charta. This is a Latin term meaning "great charter," and refers to the instrument signed by King John of England at Runnymede in 1215; in its subject-matter it laid the foundation of the liberties of the English people. Magna Charta is also called the Charter of Liberties. The king did not sign this document willingly, but his acceptance was forced at the hands of the nobles of his realm. There are in Magna Charta sixty-three clauses. Its principal provisions are as follows:

[1] A declaration that the Church of England is free.

[2] Feudal obligations are defined and limited.

[3] All courts are to be held at fixed places, assize courts are established, and earls and barons are to be tried by their peers.

[4] No extraordinary taxation shall be levied without consent of those upon whom its burdens fall.

[5] No punishment or imprisonment shall be permitted save by judgment of peers and the law of the land.

[6] There shall be no denial, sale or delay of justice.

[7] One standard of weights and measures is established.

Magna Charta has been referred to by many writers as the keystone of English liberty. It has been confirmed thirty-two times by acts of Parliament on occasions when the liberties of the people were threatened. The full text of the document follows:

MAGNA CHARTA.

John, by the grace of God, King of England, Lord of Ireland, Duke of Normandy and Aquitaine, and Count of Anjou; to all archbishops, bishops, abbots, priors, earls, barons, sheriffs, officers, and to all bailiffs and other his faithful subjects, greeting.

Know ye, that we, in the presence of God, and for the health of our soul, and the souls of our ancestors and heirs, and to the honour of God and the exaltation of Holy Church, and amendment of our kingdom; by advice of our venerable fathers, Stephen archbishop of Canterbury, primate of all England, and cardinal of the Holy Roman Church; Henry archbishop of Dublin, William bishop of London, Peter of Winchester, Jocelin of Bath and Glastonbury, Hugh of Lincoln, Walter of Worcester, William of Coventry, Benedict of Rochester, bishops; and Master Pandulph the pope's sub-deacon and familiar, Brother Aymerick master of the Knights Templars in England, and the noble persons, William the marshal, earl of Pembroke, William

earl of Salisbury, William earl of Warren, William earl of Arundel, Alan de Galloway, constable of Scotland, Warin Fitzgerald, Peter Fitz-Herbert, and Hubert de Burgh, seneschal of Poictou, Hugo de Nevil, Matthew Fitz-Herbert, Thomas Basset, Alan Basset, Philip of Albiney, Robert de Ropele, John Marshall, John Fitz-Hugh, and others our liegemen, have in the first place granted to God, and by this our present Charter confirmed for us and our heirs forever.

I. That the Church of England shall be free, and shall have her whole rights, and her liberties inviolable; and I will this to be observed in such a way that it may appear thence, that the freedom of elections, which is reckoned most necessary to the English Church, which we granted, and by our charter confirmed, and obtained the confirmation of it from Pope Innocent III, before the discord between us and our barons, was of our own free will. Which charter we shall observe; and we will it to be observed faithfully by our heirs forever.

II. We have also granted to all the freemen of our kingdom, for us and our heirs forever, all the underwrittcn liberties, to be held and enjoyed by them and their heirs, of us and our heirs. If any of our earls or barons, or others who hold of us in chief by military service, shall die, and at his death his heir shall be of full age, and shall owe a relief, he shall have his inheritance for the ancient relief, viz., the heir or heirs of an earl, a whole earl's estate for one hundred pounds; the heir or heirs of a baron, a whole barony, for one hundred pounds; the heir or heirs of a knight, a whole knight's fee, for one hundred shillings at most; and he who owes less, shall pay less, according to the ancient custom of fees.

III. But if the heir of any such be a minor, and shall be in ward, when he comes of age he shall have his inheritance without relief and without fine.

IV. The guardian of an heir who is a minor, shall not take of the lands of the heir any but reasonable issues, and reasonable customs, and reasonable services, and that without destruction and waste of the men or goods; and if we commit the custody of any such lands to a sheriff, or to any other person who is bound to answer to us for the issues of them, and he shall make destruction or waste on the ward-lands, we will take restitution from him, and the lands shall be committed to two legal and discreet men of that fee, who shall answer for the issues to us, or to him to whom we shall assign them; and if we grant or sell to any one the custody of any such lands, and he shall make destruction or waste, he shall lose the custody; which shall be committed to two legal and discreet men of that fee, who shall answer to us, in like manner as aforesaid.

V. Besides, the guardian, so long as he hath the custody of the lands, shall keep in order the houses, parks, warrens, ponds, mills, and other things belonging to them, out of their issues; and shall deliver to the heir, when he is full age, his whole lands, provided with ploughs and other implements of husbandry, according to what the season requires, and the issues of the lands can reasonably bear.

VI. Heirs shall be married without disparagement, and so that, before the marriage is contracted, notice shall be given to the relations of the heir by consanguinity.

VII. A widow, after the death of her husband, shall immediately, and without difficulty, have her marriage goods and her inheritance; nor shall she give anything for her dower, or her marriage goods, or her inheritance, which her husband and she held at the day of his death. And she may remain in the mansion house of her husband forty days after his death; within which time her dower shall be assigned, if it has not been assigned before, or unless the house shall be a castle, and if she leaves the castle, there shall forthwith be provided for her a suitable house, in which she may properly dwell, until her dower be to her assigned, as said above; and in the meantime she shall have her reasonable estover from the common income. And there shall be assigned to her for her dower the third part of all the lands, which were her husband's in his lifetime, unless a smaller amount was settled at the church door.

VIII. No widow shall be distrained to marry herself so long as she has a mind to live without a husband. But yet she shall give security that she will not marry

without our assent, if she holds of us; or without the consent of the lord of whom she holds, if she holds of another.

IX. Neither we nor our bailiffs shall seize any land or rent for any debt, so long as the chattels of the debtor are sufficient to pay the debt, and the debtor is prepared to give satisfaction. Nor shall the sureties of the debtor be distrained, so long as the principal debtor be sufficient for the payment of the debt. And if the principal debtor fail in the payment of the debt, not having wherewithal to discharge it, or will not discharge it when he is able, then the sureties shall answer the debt, and if they will they shall have the lands and rents of the debtor, until they shall be satisfied for the debt which they paid for him; unless the principle debtor can show himself acquitted thereof against the said sureties.

X. If any one have borrowed anything of the Jews,* more or less, and dies before the debt is satisfied, there shall be no interest paid for that debt, so long as the heir is a minor, of whomsoever he may hold; and if the debt falls into our hands, we will take only the chattel mentioned in the deed.

XI. If any one shall die indebted to Jews, his wife shall have her dower, and pay nothing of that debt; and if the deceased left children under age, they shall have necessaries provided for them according to the tenement of the deceased, and out of the residue the debt shall be paid; saving however the service of the lords. In like manner the debts due to other persons than Jews shall be paid.

XII. No scutage or aid shall be imposed in our kingdom, unless by the common council of our kingdom, except to ransom our person, and to make our eldest son a knight, and once to marry our eldest daughter; and for these there shall only be paid a reasonable aid.

XIII. In like manner it shall be concerning the aids of the City of London; the City of London shall have all its ancient liberties and free customs, as well by land as by water. Furthermore we will and grant that all other cities and boroughs, and towns and ports shall have all their liberties and free customs.

XIV. And for holding the common council of the kingdom concerning the assessment of aids, otherwise than in the three aforesaid cases, and for the assessment of scutages, we will cause to be summoned the archbishops, bishops, earls, and greater barons, singly, by our letters; and besides, we will cause to be summoned generally by our sheriffs and bailiffs, all those who hold of us in chief, for a certain day, that is to say, forty days before their meeting at least, and to a certain place; and in all the letters of summons, we will declare the cause of the summons; and the summons being thus made, the business shall go on at the day appointed, according to the advice of those who shall be present, although all who had been summoned have not come.

XV. We will not authorize any one, for the future, to take an aid of his freemen, except to ransom his body, to make his eldest son a knight, and once to marry his eldest daughter; and for these only a reasonable aid.

XVI. No one shall be distrained to do more service for a knight's fee, nor for any other free tenement, than what is due from thence.

XVII. Common pleas shall not follow our court, but shall be held in some certain place.

XVIII. Assizes upon the writs of Novel Disseisin, Mort d'Ancestre and Darrein presentment,† shall not be taken but in their proper counties, and in this manner. —We, or our chief justiciary when we are out of the kingdom, shall send two justiciaries into each county four times a year, who, with four knights chosen out of every shire by the people, shall hold the said assizes at a stated time and place, within the county.

XIX. And if any matters cannot be determined on the day appointed for holding the assizes in each county, let as many knights and freeholders of those

*Christians in those days were forbidden by the canon law to lend on usury; the whole of the money-lending was therefore in the hands of the Jews.

†Last presentation to a benefice.—*Sheldon Amos.*

who were present remain behind, as may be necessary to decide them, according as there is more or less business.

XX. A freeman shall not be amerced for a small offence, but only according to the degree of the offence; and for a great crime, according to the heinousness of it, saving to him his contenement; and after the same manner a merchant, saving to him his merchandise; and a villein shall be amerced after the same manner, saving to him his wainage, if he falls under our mercy; and none of the aforesaid amerciaments shall be assessed but by the oath of honest men in the neighborhood.

XXI. Earls and barons shall not be amerced but by their peers, and according to the degree of the offence.

XXII. No ecclesiastical person shall be amerced for his lay-tenement, but according to the proportion of the others aforesaid, and not according to the value of his ecclesiastical benefice.

XXIII. Neither a town nor any tenant shall be distrained to make bridges or banks, unless that anciently and of right they are bound to do it. No river for the future shall be imbanked but what was imbanked in the time of King Henry I., our grandfather.

XXIV. No sheriff, constable, coroner, or other our bailiffs, shall hold pleas of the crown.

XXV. All counties, hundreds, wapentakes, and tithings shall stand at the old rents, without any increase, except in our demesne manors.

XXVI. If any one holding of us a lay-fee, dies, and the sheriff or our bailiff show our letters patent of summons for debt which the deceased did owe to us, it shall be lawful for the sheriff or our bailiff to attach and register the chattels of the deceased found upon his lay-fee, to the value of the debt, by the view of lawful men, so as nothing be removed until our whole debt be paid; and the rest shall be left to the executors to fulfil the will of the deceased; and if there be nothing due from him to us, all the chattels shall remain to the deceased, saving to his wife and children their reasonable shares.

XXVII. If any freeman dies intestate, his chattels shall be distributed by the hands of his nearest relations and friends by view of the church, saving to every one his debts, which the deceased owed.

XXVIII. No constable or bailiff of ours shall take the corn or other chattels of any man, without instantly paying money for them, unless he can obtain respite by the good-will of the seller.

XXIX. No constable shall distrain any knight to give money for castle-guard, if he is willing to perform it in his own person, or by another able man if he cannot perform it himself through a reasonable cause. And if we have carried or sent him into the army, he shall be excused from castle-guard for the time he shall be in the army at our command.

XXX. No sheriff or bailiff of ours or any other person shall take the horses or carts of any freeman to perform carriages, without the assent of the said freeman.

XXXI. Neither we, nor our bailiffs, shall take another man's timber for our castles or other uses, without the consent of the owner of the timber.

XXXII. We will not retain the lands of those who have been convicted of felony above one year and one day, and then they shall be given up to the lord of the fee.

XXXIII. All kydells for the future shall be removed out of the Thames, the Medway, and throughout all England, except upon the sea-coast.

XXXIV. The writ which is called Præcipe, for the future, shall not be made out to any one concerning any tenement by which any freeman may lose his court.

XXXV. There shall be one measure of wine and one of ale through our whole realm; and one measure of corn, viz., the London quarter; also one breadth of dyed cloth and of russets, and of halberjects, viz., two ells within the lists. It shall be the same with weights as with measures.

XXXVI. Nothing shall be given or taken for the future for the writ of inquisition of life or limb, but it shall be granted freely, and not denied.

XXXVII. If any one hold of us by fee-farm, or socage, or burgage, and holds lands of another by military service, we shall not have the custody of the heir, or of his land, which is held of the fee of another, through that fee-farm, or socage, or burgage; nor will we have the wardship of the fee-farm, socage, or burgage, unless the fee-farm is bound to perform knight's service to us. We will not have the custody of an heir, nor of any land which he holds of another by military service, by reason of any petit-sergeantry he holds of us, as by the service of paying a knife, an arrow, or such like.

XXXVIII. No bailiff from henceforth shall put any man to his law upon his own saying, without credible witnesses to prove it.

XXXIX. No freeman shall be taken, or imprisoned, or disseized, or outlawed, or banished, or any ways destroyed, nor will we pass upon him, nor will we send upon him, unless by the lawful judgment of his peers, or by the law of the land.

XL. We will sell to no man, we will not deny to any man, either justice or right.

XLI. All merchants shall have safe and secure conduct, to go out of, and to come into England, and to stay there, and to pass as well by land as by water, for buying and selling by the ancient and allowed customs, without any evil tolls; except in time of war, or when they are of any nation at war with us. And if there be found any such in our land in the beginning of the war, they shall be attached, without damage to their bodies or goods, until it be known unto us or our chief justiciary how our merchants be treated in the country at war with us; and if ours be safe there, the others shall be safe in our dominions.

XLII. It shall be lawful for the time to come for any one to go out of our kingdom, and return, safely and securely, by land or by water, saving his allegiance to us; unless in time of war, by some short space, for the common benefit of the realm, except prisoners and outlaws, according to the law of the land, and people in war with us, and merchants who shall be in such condition as is above mentioned.

XLIII. If any man hold of any escheat, as of the honour of Wallingford, Nottingham, Boulogne, Lancaster, or of other escheats which are in our hands, and are baronies, and shall die, his heir shall give no other relief, and perform no other service to us, than he should have done to the baron if it had been in the hands of the baron; and we will hold it in the same manner that the baron held it.

XLIV. Men who dwell without the forest shall not come, for the future, before our justiciary of the forest on a common summons, unless they be parties in a plea, or sureties for some person who is attached for something concerning the forest.

XLV. We will not make any justiciaries, constables, sheriffs, or bailiffs, but from those who understand the law of the realm, and are well-disposed to observe it.

XLVI. All barons who have founded abbeys, which they hold by charters of the kings of England, or by ancient tenure, shall have the custody of them when they become vacant, as they ought to have.

XLVII. All forests which have been made in our time, shall be immediately disforested; and the same shall be done with water banks which have been made in our time.

XLVIII. All evil customs connected with forests and warrens, foresters and warreners, sheriffs and their officers, water-banks and their keepers, shall at once be inquired into in each county by twelve sworn knights of the county who shall be chosen by creditable men of the same county; and within forty days after the inquiry is made, they shall be utterly abolished by them, never to be restored; provided notice be given to us before it is done, or to our justiciary, if we are not in England.

XLIX. We will at once give up all hostages and writings that have been given to us by our English subjects, as securities for their keeping the peace, and faithfully performing their services to us.

L. We will remove absolutely from their bailiwicks the relations of Gerard de Athyes, that henceforth they shall have no bailiwick in England; we will also remove Engelard de Cygony, Andrew, Peter, and Gyon from the Chancery; Gyon de Cygony, Geoffrey de Martyn, and his brothers; Philip Mark, and his brothers; his nephew, Geoffrey, and all their followers.

LI. As soon as peace is restored we will send out of the kingdom all foreign soldiers, crossbow-men, and stipendiaries, who are common with horses and arms, to the injury of our people.

LII. If any one has been dispossessed or deprived by us, without the legal judgment of his peers, of his lands, castles, liberties, or right, we will forthwith restore them to him; and if any dispute arise upon this head, let the matter be decided by the five-and-twenty barons hereafter mentioned, for the preservation of the peace. As for all those things, for which any person has, without the legal judgment of his peers, been dispossessed or deprived, either by King Henry our father, or our brother King Richard, and which we have in our hands, or are possessed by others, and we are bound to warrant and make good, we shall have a respite till the term usually allowed the crusaders; excepting those things about which there is a plea depending, or whereof an inquest hath been made, by our order, before we undertook the crusade, but when we return from our pilgrimage, or if perchance we stay at home and do not make the pilgrimage, we will immediately cause full justice to be administered therein.

LIII. The same respite we shall have, and in the same manner, about administering justice, disafforesting or continuing the forests, which Henry our father and our brother Richard have afforested; and for the wardship of the lands which are in another's fee in the same manner as we have hitherto enjoyed those wardships, by reason of a fee held of us by knight's service; and for the abbeys founded in any other fee than our own, in which the lord of the fee says he has right; and when we return from our pilgrimage, or if we stay at home and do not make the pilgrimage we will immediately do full justice to all the complainants in this behalf.

LIV. No man shall be taken or imprisoned upon the accusation of a woman, for the death of any other than her husband.

LV. All unjust and illegal fines made by us, and all amerciaments that have been imposed unjustly, or contrary to the law of the land, shall be remitted, or left to the decision of the five-and-twenty barons of whom mention is made below for the security of the peace, or the majority of them, together with the aforesaid Stephen archbishop of Canterbury, if he can be present, and others whom he may think fit to bring with him; and if he cannot be present, the business shall proceed notwithstanding without him; but so, that if one or more of the aforesaid five-and-twenty barons be plaintiffs in the same cause, they must be removed from this particular trial, and others be chosen instead of them out of the said five-and-twenty, and sworn by the rest to decide the matter.

LVI. If we have disseized or dispossessed the Welsh of their lands, or other things, without the legal judgment of their peers, in England or in Wales, they shall be at once restored to them; and if a dispute shall arise about it, the matter shall be determined in the marches by the verdict of their peers; for tenements in England, according to the law of England; for tenements in Wales, according to the law of Wales; for tenements in the marches, according to the law of the marches. The Welsh shall do the same to us and our subjects.

LVII. As for all those things of which any Welshman hath been disseized or deprived, without the legal judgment of his peers, by King Henry our father, or King Richard our brother, and which we have in our hands, or others hold with our warranty, we shall have respite, till the time usually allowed the crusaders, except those concerning which a suit is depending, or an inquisition has been taken by our order before undertaking the crusade. But when we return from our pilgrimage,

or if we remain at home without performing the pilgrimage, we shall forthwith do them full justice, therein, according to the laws of Wales, and the parts.

LVIII. We will, without delay, dismiss the son of Llewellin, and all the Welsh hostages, and release them from the engagements they have entered into with us for the preservation of the peace.

LIX. We will treat with Alexander, King of Scots, concerning the restoring his sisters and hostages, and his right and liberties, in the same form and manner as we shall do to the rest of our barons of England; unless by the charters which we have from his father, William, late King of Scots, it ought to be otherwise; and this shall be left to the determination of the peers in our court.

LX. All the aforesaid customs and liberties, which we have granted to be holden in our kingdom, as much as it belongs to us, towards our people of our kingdom, both clergy and laity shall observe, as far as they are concerend, towards their dependents.

LXI. And whereas for the honour of God and the amendment of our kingdom, and for the better quieting the strife that has arisen between us and our barons, we have granted all these things aforesaid; willing to render them firm and lasting, we do give and grant our subjects the underwritten security, namely, that the barons may choose five-and-twenty barons of the kingdom whom they think convenient, who shall take care, with all their might, to hold and observe, and cause to be observed, the peace and liberties we have granted them, and by this our present charter confirmed; so that if we, our justiciary, our bailiffs, or any of our officers, shall in any circumstance fail in the performance of them towards any person, or shall break through any of these articles of peace and security, and the offence be notified to four barons chosen out of the five-and-twenty above mentioned, the said four barons shall repair to us, or our justiciary, if we are out of the kingdom, and laying open the grievance shall petition to have it redressed without delay; and if it not be redressed by us, or if we should chance to be out of the kingdom, if it should not be redressed by our justiciary within forty days, reckoning from the time it has been notified to us, or our justiciary (if we should be out of the kingdom), the four barons aforesaid shall lay the cause before the rest of the five-and-twenty barons; and the said five-and-twenty barons, together with the community of the whole kingdom, shall distrain and distress us in all possible ways, by seizing our castles, lands, possessions, and in any other manner they can, till the grievance is redressed according to their pleasure; saving harmless our own person, and the persons of our queen and children; and when it is redressed they shall obey us as before. And any person whatsoever in the kingdom may swear that he will obey the orders of the five-and-twenty barons aforesaid, in the execution of the premises, and will distress us jointly with them, to the utmost of his power, and we will give public and free liberty to any one that shall please to swear to this, and never will hinder any person from taking the same oath.

LXII. As to all those of our people who of their own accord will not swear to the five-and-twenty barons, to join them in distressing and harassing us, we will issue orders to compel them to swear as aforesaid. And if any one of the five-and-twenty barons die, or remove out of the land, or in any way shall be hindered from executing the things aforesaid, the rest of the five-and-twenty barons shall elect another in his place, at their own free will, who shall be sworn in the same manner as the rest. But in all these things which are appointed to be done by these five-and-twenty barons, if it happens that the whole number have been present, and have differed in their opinions about anything, or if some of those summoned would not or could not be present, that which the majority of those present shall have resolved will be held to be as firm and valid, as if all the five-and-twenty had agreed. And the aforesaid five-and-twenty shall swear that they will faithfully observe, and, to the utmost of their power, cause to be observed, all the things mentioned above. And we will procure nothing from any one by ourselves, or by another, by which any of these

concessions and liberties may be revoked or lessened. And if any such thing be obtained, let it be void and null; and we will neither use it by ourselves nor by another. And all the ill-will, indignations, and rancors, that have risen between us and our people, clergy and laity, from the first breaking out of the discord, we do fully remit and forgive; in addition all transgressions occasioned by the said discord from Easter, in the sixteenth year of our reign, till the restoration of peace and tranquillity, we do fully remit to all, both clergy and laity, and as far as lies in our power, forgive. Moreover, we have caused to be made to them letters patent testimonial of my lord Stephen archbishop of Canterbury, my lord Henry archbishop of Dublin, and the bishops aforesaid, as also of Master Pandulph, for the security and concessions aforesaid.

LXIII. Wherefore we will and firmly enjoin that the Church of England be free, and that all men in our kingdom have and hold all the aforesaid liberties, rights, and concessions truly and peaceably, freely and quietly, fully and wholly to themselves and their heirs, of us and our heirs, in all things and places, forever, as is aforesaid. It is also sworn, as well on our part as on the part of the barons, that all the things aforesaid shall be observed *bona fide* and without evil subtlety. Given under our hand, in the presence of the witnesses above named and many others, in the meadow called Runnymede, between Windsor and Staines, the fifteenth day of June in the seventeenth year of our reign.

Maine. The first settlements in Maine were made in 1604, 1607, 1608 and 1623. These were not permanent. The first which endured was made by the English at Pemaquid in 1625, thus placing the territory under the sovereignty of the English Crown. However, the French King had given it, in 1603, to DeMonts. It had already been passed by grant of James I of England in 1606 to the strong Plymouth Company, practically determining for all future time the political status of this part of New England. By 1660 Maine had secured possession of nearly all of this section, and in 1677 still larger accessions were secured by this province. During the Revolutionary War it was held by Massachusetts as the District of Maine, but in 1783 steps were taken towards independent existence. Maine became a State of the Union on March 15th, 1820.

STATE SEAL OF MAINE.

Government. The present Constitution was adopted in October, 1819, previous to the admission of Maine as the twenty-third State of the Union. The Constitution may be amended by two-thirds' vote of each House of the Legislature, provided the majority of the voters sanction the proposition at

the next regular election. All male citizens of the United States, if able to read English, may vote at all elections in Maine, provided they have lived in the State three months. The Legislature is composed of a Senate of 31 members, and a House of Representatives of 151 members, all elected for two years. The Legislature meets biennially, and members receive $150 salary per annum. The Executive authority is vested in a Governor, who is chosen by vote for two years, and an Advisory Council of seven members, chosen by joint ballot of the Legislature. There is, also, a Secretary of State, a Treasurer and an Attorney-General, all chosen by the Legislature. The Supreme Court is composed of eight Justices, each appointed for seven years by the Governor and the Council. Each county has probate and insolvency courts, and Justices of the Peace. The cities have municipal courts, with Judges appointed for four years. The townships throughout the state are governed by the town meetings.

Major, an officer of the United States army, in rank between Lieutenant-Colonel and Captain. He is the lowest officer in a regiment, his grade corresponding to that of Lieutenant-Commander in the navy. The salary of a Major is from $2,500 to $3,500 per year, according to length of service. Each regiment of United States infantry and cavalry has three Majors, one in command of each infantry batallion or cavalry squadron. See COMPARATIVE RANK IN ARMY AND NAVY.

Major-General, an officer of the United States army, third in point of rank, grading between Lieutenant-General and Brigadier-General. When there are no incumbents of the offices of General and Lieutenant-General, and this is usually the case, the Major-Generals are the highest officers of the army. They rank each other only in point of seniority in service. The Major-General ranks with the Rear-Admiral of the navy. His salary is $7,500 per year. An officer of this rank is eligible to the command of an army. See COMPARATIVE RANK IN ARMY AND NAVY.

Majority. The word majority means more than half. As applied to votes in any deliberative body or at any election,

one more than one-half of all votes cast is a majority. It is thus opposed to plurality, in that a plurality means simply an excess of votes for one man or measure over the votes received by any other man or any other measure. In almost every Legislative assembly, a majority of the members belonging to that body constitute a quorum [q. v.] to do business. See PLURALITY.

Malfeasance is the commission of an act that is evil or wrongful. See MISFEASANCE; NONFEASANCE.

Mandamus. A mandamus is a legal writ issued by a court of superior jurisdiction, directed to a court of inferior jurisdiction or any public officer, corporation or public body, commanding the party or parties named therein to do some act connected with their official duties. A writ of mandamus is resorted to only when there is no lesser adequate remedy. Examples of the use of a writ of mandamus may be cited as follows:

It may be invoked to compel corporations to permit stockholders to examine its books.

To compel a railroad company to tear up tracks laid outside of its right of way.

To compel a public officer to perform certain acts in line with his sworn duty, but which his inclination prompts him to overlook.

One who disobeys the order of a writ of mandamus may be declared guilty of contempt of court. See CONTEMPT OF COURT.

Manslaughter. The wrongful killing of a man without malice, either expressed or implied, is manslaughter. The commission of an act of manslaughter may be voluntary, as in a sudden passion, or involuntary, as the result of criminal carelessness, or as an incident in the commission of some wrongful act. In the category of crime, manslaughter ranks below the various degrees of murder. See HOMICIDE; MURDER.

Marine Corps. The Marine Corps is a division of the United States navy, composed of soldiers, under command of a Brigadier-General; they are placed aboard the various war vessels, from one hundred to three hundred to each of the larger vessels. They form the fighting force of the navy, wear

the uniform of the navy rather than that of the army, and are under the direction of the Navy Department. The pay of officers and men of the Marine Corps is the same as that in like grades of service in the regular army.

Maritime Law and Jurisdiction. The United States courts are given by the Constitution complete jurisdiction over all the navigable waters of the country, over seaboards as far as three miles from shore, and over United States vessels and seamen on any ocean. This jurisdiction extends to both civil and criminal administration of Federal laws. The trial of a case under our admiralty laws differs little, if any, from any other court proceeding. Ships or owners are liable for damages resulting from negligence of their sailing masters. The ship captain has absolute sovereignty or authority over all on board a vessel. To suppress mutiny he may put any participant to death, or may place offenders in irons. Navigation laws are made by Congress to conform as nearly as possible to the practically uniform legislation of other nations, so there may be no deviation in the general character of the world's maritime statutes.

Marque and Reprisal, Letters of. The word marque means land-mark, or boundary; a letter of marque therefore is a commission in writing, issued by the National Government to a private person, giving him authority to pass beyond the three-mile international boundary, and on the high seas capture the persons or property of subjects or citizens of another nation that have inflicted injury upon his country. Reprisal means re-taking, and the word indicates the purpose for which a letter of marque and reprisal is issued. A vessel whose commander bears a letter of marque and reprisal is called a privateer. International law recognizes the right of a nation to adopt this mode of obtaining redress from any offending country. It has been resorted to particularly in those nations having but a small navy. For the last fifty years, however, the great nations of Europe have very generally agreed among themselves to abolish privateering. The United States was never a party to any understanding of this nature, but in the war with Spain

in 1898, privateering was not allowed; unless a great emergency should arise in the future, doubtless a letter of marque and reprisal will never again be issued by this Government.

Marshal, UNITED STATES, the Executive officer of the United States District and Circuit Courts. He is appointed by the President, and the appointment is confirmed by the Senate; the term of office is four years. The duties of a United States Marshal are similar to those of the Sheriff [q. v.] in the system of State courts.

Mason and Slidell. Two ambassadors of the Southern Confederacy, named Mason and Slidell, were sent to England to open negotiations with Great Britain, intending later to appeal also to France, for recognition of the Confederacy as a belligerent [q. v.] power. The English vessel, the "Trent," on which they were sailing, was stopped on the high seas by a Federal warship; Mason and Slidell were forcibly taken prisoners and carried to Washington. This act was a serious affront to England, whose Government promptly made representations which would have ended in a declaration of war had President Lincoln not made immediate and suitable apology, at the same time releasing the prisoners. We had fought a war largely to enforce the principle that no nation could claim the "right of search," and it was utterly inconsistent, after our successful struggle to end the custom, for a war vessel of the United States to adopt the policy, even in an extreme case. The "Trent affair," so-called, served one good purpose, however. Even though defeated in the War of 1812, England had never officially abandoned her claim to the right of search; here was an instance in which that country had to renounce the principle before it could present a case against the United States.

Massachusetts. Colonial New England, of which Massachusetts was the leading member, had a most important part in shaping the future government of the United States. The history of this State begins with the landing of the Pilgrims at Plymouth Rock, in 1620. They were deeply religious and impressed their doctrine so firmly upon the colonies of the north that their influence exists to the present

day. The second colony was begun in 1626, with the founding of Salem. In 1629 a charter was granted to the "Governor and Company of the Massachusetts Bay of New England." The year following fully one thousand Puritans joined the colony, and after that the growth was rapid. Boston was founded in 1630, and has always been the capital. The charter, above referred to, authorized the freemen to make laws without restriction, except that they must be in harmony with the laws of the English Parliament. They were to elect, annually, a Governor, a Deputy-Governor and Associates. Only church members were allowed to vote. A detail account of colonial history, which can be secured from any good text-book, will be very instructive to the student of American Government. In 1774 a State Government was organized, and in 1780 a Constitution was adopted, which is yet effective, although it has been several times amended. In 1788 the State ratified the new Constitution of the United States.

STATE SEAL OF MASSACHUSETTS.

Government. The Constitution may be amended by majority vote of the State Senate and two-thirds' vote of the House of Representatives, at two consecutive sessions of the Legislature, which is here called the General Court. All male citizens of the United States may vote, if they have been in the State one year, and in the township or district six months, provided they are able to read English and write their names. The General Court, or Legislature, consists of a Senate of 40 members, and a House of Representatives of 240 members, all elected for the term of one year. Regular sessions are held annually, but the Governor may call special sessions when he deems it necessary. The State officers are the Governor, Lieutenant-Governor, Secretary of the Commonwealth, Treasurer, Auditor, Adjutant-General, Attorney-General and Commissioner of Insurance, all chosen by vote every year. A Council of eight members, chosen yearly, sits as a Board of Advisors to the

Governor. The Judicial authority is vested in a Supreme Court of seven members, and a Circuit Court of sixteen members, all appointed by the Governor, and holding office during good behavior. The chief Executive also appoints Judges for each county.

Maximilian. Possibly the most conspicuous instance of the enforcement of the Monroe Doctrine [q. v.] was our protest to France at the time the emperor, Napoleon III, sent troops across the Atlantic to enforce certain claims against Mexico, which promised to result in the subjugation of that country. It was undoubtedly Napoleon's opinion that the Civil War, then in progress, would enlist the attention of the United States to the extent that no strong objection would be made to operations in the Southwest. French troops entered the capital City of Mexico, and forced the Government into retreat and temporary exile. Napoleon asked Maximilian, an Austrian arch-duke, to accept the throne of Mexico, which he did. After our war was over, the Government of the United States made such strong representations to France, basing its position on the well-known provisions of the Monroe Doctrine, that French troops were withdrawn, leaving Maximilian to protect his newly-acquired throne unaided by the power which had exalted him. The Mexicans rose to their opportunity and captured the new Emperor; he was condemned to death and shot, on June 19, 1867. See MONROE DOCTRINE.

Mayor, the chief Executive officer of a city, town or village, although in some States the head of a village Government is called President. The Mayor is always elected by direct vote of the people, with a term of office varying from one to four years, and he is eligible to re-election. In about one-half of the States he may be removed from office for cause, by the Governor. The powers and duties of this officer are prescribed in the charter of the municipality. In some cities he does little except to execute the laws or ordinances, to preside over the sessions of the city council, or board of aldermen, and to vote in case of a tie. In other localities he is given the appointment of subordinate officials, including heads of departments,

and often the law vests in him the power to appoint members of the school board. Some States give the Mayor the authority to perform the marriage ceremony, and usually in the same instances, limited powers of a magistrate.

A few cities, notably Galveston, Pittsburgh and Des Moines, have no mayors or heads of departments, as such, but are governed by a board of commissioners of from three to seven members, chosen by general election.

Martial Law is another term for temporary military government, which by proclamation of the Executive may displace civil authority in any community when civil officers are unable to cope with disturbances which threaten the peace and security of the people. There is no provision in the Constitution of the United States for martial law, but sentiment has crystallized custom into law. The military, whether a regiment of the regular army or a company of militia, is looked upon as the natural defense of citizenship; when uprisings threaten the temporary ascendency of law and order, an appeal to the Government, as personified in its soldiers, is natural. When martial law is declared, civil authority ends, for the time, except that the soldiers called to the scene are under orders of the Executive.

If a Mayor of a city cannot quell a disturbance with his force of police officers, he calls upon the Sheriff of the county, who may swear in hundreds of citizens as deputies, if he so desires. If the trouble assumes proportions which threaten his authority, he may call upon the Governor for companies of militia. In infrequent cases, like a great railroad strike, the State militia may prove powerless, in which case the Governor may appeal to the President for United States troops. Upon the arrival of the military, martial law is declared in force. Under operation the usual procedure of the courts and the ordinary guarantees of personal liberty and security are suspended, in place of which rise the arbitrary and repressive methods of the military arm of the Government. By suspension of the usual procedure of the courts is meant their jurisdiction over deeds of violence enacted against the institution of martial law.

The military punishes transgressions of military law in its own membership, usually with severity.

Maryland. The early government of Maryland was proprietary. The grant of what is now this State was made in 1623 by Charles I to the first Lord Baltimore, a member of both the London and Plymouth companies. The purpose of the new proprietor was to provide a place where Catholics could live without religious persecution. The terms of the charter were such that the proprietor was almost independent in power; a yearly tribute of a nominal sum was to be sent to the King. The first settlement was made in 1634, and the colony was prosperous from its inception. More than one-half century of dispute over the Pennsylvania boundary line was settled by the famous survey known as the Mason & Dixon Line, in 1767. In 1776 a Constitution was adopted for Maryland, and in 1781 it became a member of the Confederation.

STATE SEAL OF MARYLAND.

Government. The first Constitution was amended in 1810 and 1847. The last Constitution, which is the fourth, was adopted in 1867. It may be amended by two-thirds' vote of the Senate and House of Representatives, if ratified by the majority of the voters of the State. Once every twenty years the question of holding a Constitutional convention is submitted to the people. All male citizens of the United States may vote, if they have been one year in the State and six months in the county of residence. The Legislature consists of a Senate of 26 members, chosen for four years, and a House of Delegates of 101 members, chosen for two years. The only persons not eligible to membership in the Legislature are office-holders and ministers. The Legislature meets every two years, and their sessions are limited to 90 days. Special sessions convene at the call of the Governor, and are limited to 30 days. The pay of members is $5.00 per day, during sessions, with usual mileage. The Executive officers are the Governor, chosen

for four years, and the usual other State officers, who are appointed by the Governor, with the approval of the Senate. In case of a vacancy in the office of Governor, his successor is chosen by the Legislature, if it be in session; otherwise, the President of the Senate and Speaker of the House of Delegates are in line of succession, and fill the office until the next meeting of the Legislature, or until the next election. The Judicial authority is vested in Circuit courts, presided over by three Judges, chosen by the people for five years. Each of them holds sessions of court regularly every year in the counties of his circuit. There is a Court of Appeals, and in each county there is an Orphan's court; each township has Justices of the Peace and Constables.

Mason and Dixon's Line. Two English surveyors, Charles Mason and Jeremiah Dixon, between the years 1763 and 1767, surveyed a boundary line between the proprietary colonies of Pennsylvania and Maryland, along the parallel of latitude 39° 43′ 26″, to settle a long dispute between the Penn and Baltimore families, respective claimants. This line became afterwards famous as the dividing line between the free and slave States before the Civil War, being first referred to, as early as the spirited struggle over the Missouri Compromise in Congress in 1820, as the natural boundary between the two sections. The line of division between free and slave territory extended westward to the Ohio River, followed that stream to its mouth, and there met the southern boundary of Missouri, on the parallel of 36° 30′. North of this boundary, with the exception of Missouri, no State could hold slaves, according to the principal provision of the Missouri Compromise.

Mecklenburg Declaration. The representatives of the militia of Mecklenburg County, North Carolina, met in the night of a certain day of May, 1775, and drafted resolutions which declared the people of that county to be free and independent of Great Britain. The next year the Declaration of Independence was passed in convention in Philadelphia. Many passages in the Mecklenburg Resolutions and in the Declaration of Independence were exactly alike. One of two facts has never

been determined—whether the writers of the Declaration purposely followed the phraseology of the earlier document, or whether the Mecklenburg paper was so well known to the framers of the later document that its phrases were used unconsciously. The Mecklenburg Declaration was destroyed by fire in 1800 and written again from memory, for preservation. This fact may account in some measure for the present similarity in the two documents. The full text of the Declaration is as follows:

I. Resolved, That whosoever directly or indirectly abets, or in any way, form, or manner countenances the unchartered and dangerous invasion of our rights, as claimed by Great Britain, is an enemy to this country, to America, and to the inherent and inalienable rights of man.

II. Resolved, That we do hereby declare ourselves a free and independent people; are, and of right ought to be a sovereign and self-governing association, under the control of no power, other than that of our God and the general Government of the Congress: To the maintenance of which independence we solemnly pledge to each other our mutual cooperation, our lives, our fortunes, and our most sacred honor.

III. Resolved, That as we acknowledge the existence and control of no law or legal officer, civil or military, within this country, we do hereby ordain and adopt as a rule of life, all, each, and every one of our former laws, wherein, nevertheless, the crown of Great Britain never can be considered as holding rights, privileges, or authorities therein.

IV. Resolved, That all, each, and every military officer in this county is hereby reinstated in his former command and authority, he acting comformably to their regulations, and that every member present of this delegation, shall henceforth be a civil officer, viz.: a justice of the peace, in the character of a committee man, to issue process, hear and determine all matters of controversy, according to said adopted laws, and to preserve peace, union, and harmony in said county, to use every exertion to spread the love of country and fire of freedom throughout America, until a more general and organized government be established in this province.

Abraham Alexander, Chairman.
John McKnitt Alexander, Secretary.

Memorial Day, the day set apart annually, first by custom and later by statute, in most States, North and South, for the purpose of honoring the memory of the soldiers who fought in the Civil War. Strewing flowers on soldiers' graves was until 1868 but the sorrowful tribute of grief-stricken families weeping

over their soldier dead, but public sentiment soon endowed the custom with the binding force of statute law. The Confederate women deserve the credit for the origin of the idea, before the close of the war. Each year in the early spring they publicly proclaimed a day for paying a debt of love to those who had fallen in their cause. Official recognition was first given to Memorial Day in the North, however, in the following "General Order," issued by the Grand Army of the Republic [q. v.]:

HEADQUARTERS GRAND ARMY OF THE REPUBLIC,
WASHINGTON, D. C., May 5, 1868.

GENERAL ORDERS,
No. 11.

I. The 30th day of May, 1868, is designated for the purpose of strewing with flowers or otherwise decorating the graves of comrades who died in defense of their country during the late rebellion, and whose bodies now lie in almost every city, village and hamlet churchyard in the land. In this observance no form of ceremony is prescribed, but posts and comrades will in their own way arrange such fitting services and testimonials of respect as circumstances may permit.

We are organized, comrades, as our regulations tell us, for the purpose, among other things, "of preserving and strengthening those kind and fraternal feelings which have bound together the soldiers, sailors and marines who united to suppress the late rebellion." What can aid more to assure this result than cherishing tenderly the memory of our heroic dead, who made their breasts a barricade between our country and its foes? Their soldier lives were the reveille of freedom to a race in chains, and their death the tatto of rebellious tyranny in arms. We should guard their graves with sacred vigilance. All that the consecrated wealth and taste of the Nation can add to their adornment and security is but a fitting tribute to the memory of her slain defenders. Let no wanton foot tread rudely on such hallowed grounds. Let pleasant paths invite the coming and going of reverent visitors and fond mourners. Let no vandalism of avarice or neglect, no ravages of time, testify to the present or to the coming generations that we have forgotten as a people the cost of a free and undivided Republic.

If other eyes grow dull and other hands slack and other hearts cold in the solemn trust, ours shall keep it well as long as the light and warmth of life remain to us.

Let us, then, at the time appointed gather around their sacred remains and garland the passionless mounds above them with the choicest flowers of Springtime; let us raise above them the dear old flag they saved from dishonor; let us, in this solemn presence, renew our pledges to aid and

assist those whom they have left among us a sacred charge upon the Nation's gratitude—the soldier's and sailor's widow and orphan.

II. It is the purpose of the Commander-in-Chief to inaugurate this observance with the hope that it will be kept up from year to year, while a survivor of the war remains to honor the memory of his departed comrades.

He earnestly desires the public press to call attention to this order, and lend its friendly aid in bringing it to the notice of comrades in all parts of the country in time for simultaneous compliance therewith.

III. Department commanders will use every effort to make this order effective. By command of

JOHN A. LOGAN, Commander-in-Chief.
N. P. CHIPMAN, Adjutant-General.

The first State officially to declare May 30th as Memorial Day was New Jersey; the first to make the day a legal holiday was New York. The Federal Government has never passed a law on the subject, but each year both Houses of Congress, when in session, vote to adjourn for the day, "as a mark of respect to the memory of the illustrious dead."

Throughout the North May 30th is officially designated as Memorial Day; in the South, May 20th is the date.

Mending Fences, a phrase used to signify that a politician is laying plans and devising schemes to promote his political interests. The term originated in 1880, with John Sherman's candidacy for the Presidency. While in a field with a relative, engaged in laying some rails, a reporter sought Mr. Sherman and inquired what he was doing, meaning, of course, in a political way. The relative, quick to help the candidate, who did not care to talk politics at that stage of the campaign, turned to the newspaper man and said, "Why, you can see for yourself; he is mending his fences." In politics, "political fences" form an important topic of discussion.

Merchant Marine, the name applied collectively to the vessels of a country, under private ownership, engaged in carrying the commerce of that country. The United States has practically no merchant marine engaged in the foreign trade; nearly all our articles of import and export are carried under the flags of foreign nations. Conditions in this regard are improving, however. Of course, our coastwise trade is

for the most part carried in American vessels, but these are not usually included when the merchant marine is referred to.

Message of the President. Upon the day that a Congress meets for either the long or the short session, the President sends to both its branches a letter which is meant to guide the Legislative Department in its task of framing needed laws. Congress is in session a little less than one-half of each year, and in the vacation periods many Congressmen may not follow carefully all public developments; also, many of them are new in office, unadvised as to matters needing attention. The President, on the other hand, in the capacity of Chief Executive, is expected to keep constantly in touch with all important public affairs. He is therefore prepared to report, on the opening day of each session, what of interest has occurred during the vacation period, and advise what, in his judgment, should be done in the matter of new legislation to promote the best interests of the country.

When both Houses of Congress are ready to begin the business of a new session, the President is notified of the fact by a committee appointed for that purpose. He acknowledges the official salutation at once by forwarding by special messenger to each House a copy of his annual message. The clerks of the Senate and House read it out in droning voices, while many of the members follow the spoken words by comparison with the printed copies which are laid on their desks. The Government printing office always has the printing of the message, and the greatest care is exercised to prevent its getting to the newspapers before being first delivered in Congress. To get advance and definite information of the President's recommendations on many public questions would be worth a great deal of money to speculators and promoters. The printers are allowed to make only one proof, which is given to the President to correct, and these printers are always picked men. They are watched closely, and the forms are carefully locked up and are always under the eye of the foreman. The Public Printer himself set up one or two of President Arthur's messages, but for all this precaution, one of Arthur's messages was stolen and

published a day before it was delivered to Congress. There have been a number of instances of such steals in the past. Grant's first message was read by the country a day before Congress met, and one of the messages of President Hayes was bought for $1,000 of a printer by several newspaper men, and was in the hands of their respective newspaper readers long before the message had been sent to the Senate. This printer had intended to sell the message to the New York Tribune, but he got into the Times office there by mistake, and the Times correspondent made up a combination which was to pay him $1,500 for it. This combination embraced the Cincinnati Enquirer, the Chicago Times, and the New York Times. Each was to pay $500. The Chicago Tribune correspondent in New York bought an early copy of the Times and retelegraphed the message from it to his paper, so that the Chicago Tribune had the message at the same time as the Chicago Times. This led Editor Storey to refuse to pay his share of $500, the printer receiving only $1,000 from the Enquirer and New York Times. Since that year no trouble has been experienced in keeping the contents of the messages secret until their delivery to Congress.

Metallic Currency is "hard" money—gold, silver, nickel, and copper; such money is thus contrasted with paper currency, or "soft money."

Michigan. The first settlements in Michigan were at Mackinac in 1671 and at Detroit in 1701, by the French. These were permanent. Before the settlement of Detroit forts had been established at the mouth of the St. Joseph River in 1679, and at the head of the St. Clair River in 1686. France held this territory until the close of the French and Indian Wars in 1763, when it was ceded to England. It was a part of Canada from 1774 to 1783, when by the treaty closing the Revolutionary War it came under the ownership of the United States. Michigan was a part of the Northwest Territory [q. v.] under the Ordinance of 1787 [q. v.]; it was made a Territory of the United States in 1805, and was admitted to the Union as the twenty-sixth State January 26, 1837.

Government. In 1908 a Constitutional Convention formulated a new State Constitution to supplant the one adopted in 1850. There was a provision in it that it should not become effective until ratified at a popular election by the majority of the votes cast. That election had not been held when this book went to press. Under the Constitution in force since 1850 the Legislature consisted of a Senate of 32 members, and a House of Representatives of 100 members, elected for term of two years. Sessions were held biennially; members received $3.00 per day for actual attendance, and mileage. There was no limit to the length of any session, although new bills could not be introduced into either House after the first fifty days. The State officers under this Constitution were a Governor, Lieutenant-Governor, Secretary of State, Treasurer, Auditor, Attorney-General, Superintendent of Public Instruction, Commissioner of State Land Office, elected for two years. The Judicial power is vested in a Supreme Court of eight members, elected for eight-year terms, one member retiring each year; the member whose term first expires is Chief Justice; there is a Circuit Court in every county, presided over by a Circuit Judge, whose Circuit may comprise one or more counties. He is elected for six years. In each county there is also a Probate Court, and each organized township may elect four Justices of the Peace, whose term is four years.

STATE SEAL OF MICHIGAN.

Midshipman, formerly the officer of lowest rank on a naval vessel, but now a naval cadet. Upon graduation from the Naval Academy the cadet becomes, upon promotion, an ensign. See NAVAL ACADEMY.

Mileage. The United States Government pays Senators and Representatives a certain amount for their expenses in traveling from their homes to Washington at the beginning of each session of Congress and in returning home at the close of the session. This amount, called mileage, has been fixed at

ten cents per mile each way, measured by the nearest and most direct route. If a member of Congress lives 1,000 miles distant from Washington, his annual mileage fees are $200. Ten cents per mile was a reasonable cost for traveling in comparative comfort in the early days of the republic, but it is admittedly too much today. Several attempts have been made to reduce the rate, but they have so far proved ineffectual. Other officers of the Government, when their official duties make travel a necessity, are allowed traveling expenses, but this cannot be called mileage.

Courts pay jurymen ten cents per mile for the distance traveled in both directions in attendance upon the term of court for which they are drawn—five cents per mile for the distance to court at the opening of the term, and a like amount for return to their homes upon discharge from service.

Military Academy. At West Point, on the Hudson River, a few miles north of the City of New York, the United States Government maintains a school for the practical training of cadets for the military service of the country. Upon completion of the prescribed course of study, covering four years' work, the graduate cadet is eligible to a commission as Second-Lieutenant in the regular army, and appointments are made as fast as vacancies occur. The Military Academy is under direct control of the War Department; its chief executive is an officer of the army, generally a Colonel, who is given the title of Superintendent; he usually serves until under army regulations he is entitled to promotion to higher rank or until he retires to private life under age limitation, at sixty-two years.

The school was first organized in 1802, although General Washington had first urged such an institution in 1783. It has been reorganized several times in its history; the last marked changes were effected by an act of Congress of 1903. By this law the corps of cadets composing the student body is recruited as follows: The President of the United States is authorized to appoint one cadet from each Congressional District, one from each Territory, one from the District of Columbia, one from Porto Rico, two from each State at large, and forty from the

United States at large. With the exception of the forty last mentioned, each cadet must be a resident of the District, Territory or State, as the case may be, from which he is appointed, and must be between seventeen and twenty-two years of age. Under this act, the maximum number of cadets enrolled may be 522.

Candidates for appointment are often given physical and mental examinations to determine their fitness and promise of future usefulness; this method is employed to settle rivalries for the coveted positions; in such cases the President never appoints a young man who falls below the requirements. Examinations are held and appointments are made only when vacancies occur in the representation of any District, Territory or State, or when the representation at large is not at maximum. Appointments from Congressional Districts are recommended to the President by the Congressmen from those Districts, and the two appointments from the State at large by the Senators from the State. The forty members from the country at large are the personal choice of the President. Applicants may address their Senators or Representatives in Congress for full particulars concerning appointments.

Military Education. The War Department prescribes the regulations governing the military education of our army officers and enlisted men. There are six regular or special-service schools, as follows:

(1) The Military Academy at West Point, for the education of cadets. See MILITARY ACADEMY.

(2) Schools at each army post for the training of enlisted men.

(3) At each army post a garrison school for the instruction of officers in matters pertaining to their prescribed duties.

(4) Special-service schools, names and locations as stated: Artillery School, Ft. Monroe; Engineer School, Washington Barracks; School of Submarine Defense, Ft. Totten, N. Y.; School for Cavalry and Field Artillery, Ft. Riley, Kansas; Army Medical School, Washington; Signal Service School, Ft. Leavenworth; Infantry and Cavalry School, Ft. Leavenworth.

(5) The Staff College, Ft. Leavenworth, for the instruction of specially selected officers in the duties of general officers in time of war, also for the investigation of military inventions and discoveries.

(6) The Army War College, at Washington, founded to make practical application of military knowledge. Its students are selected by the War Department from among the most capable and best qualified Captains and Majors in the service. See ARMY WAR COLLEGE.

In times of peace it is evident that the army establishment is a vast school, instruction being continually imparted, in addition to regular drills, marches, and the usual routine of the service.

Military Posts. For a list of forts and posts now occupied by United States troops within the various States, see FORT.

Militia. Those citizens of the United States between the ages of eighteen and forty-five years, who are enrolled and drilled in military organizations other than the regular military forces (the United States army), are collectively called the militia. In the strictest sense, every able-bodied male citizen outside of the regular army is a militiaman, as he is subject to call for service in times of public danger.

Every nation must have a strong arm of defense; either it must maintain a large standing army, at vast expense, or it must possess in its body of citizens the elements out of which large bodies of troops can be quickly formed. There are many reasons why the former plan is not acceptable to republican institutions. Accordingly, we maintain only a very small standing army, but nearly every State supports its State militia, and these local military companies form the nucleus of a great army which could respond speedily to the call of the President for soldiers in any worthy cause. The Constitution gives the President power to call out the militia when in his judgment it seems necessary. He does this, when a large force is needed, by applying to the Governor of each of the States for his proportion of the whole number desired; the Governors in turn issue a call to their militia companies, and all companies

called must respond promptly. When in the service of the United States, the militia receive the pay of United States soldiers.

Only three times has the President called upon the militia for Federal service—in the Whisky Rebellion, in the War of 1812, and in the Civil War. In a great number of cases the Governors of States have called the militia to support local county and city authorities in the enforcement of law and order. See ARMY OF THE UNITED STATES; MARTIAL LAW.

Minister Plenipotentiary, a diplomatic representative, ranking below Ambassador and above Minister Resident. By authority of Congress, the full title of our representatives of this rank accredited to foreign Governments is Envoy Extraordinary and Minister Plenipotentiary. The salary paid ranges from $7,000 to $12,000 per year; appointment is by the President, for a term of four years, subject to approval by the Senate. There are about thirty representatives of the United States bearing this rank. Until 1893 there was no higher rank in our diplomatic representation than Minister Plenipotentiary; in that year the office of Ambassador was created and the posts at London, Paris, Berlin and St. Petersburg were raised to that rank, in return for corresponding raise in rank of the representatives of Great Britain, France, Germany and Russia accredited to Washington. See DIPLOMATIC SERVICE; AMBASSADOR.

Minister Resident, a diplomatic representative, in rank below Envoy Extraordinary and Minister Plenipotentiary, although the duties are, in general, the same. The former are not accredited to nations as important as those to which Ministers Plenipotentiary are sent. The salary ranges from $3,000 to $8,000. See DIPLOMATIC SERVICE.

Minnesota. The first settlement in the present State of Minnesota was in 1678, at Duluth, by a Frenchman of the same name. Two years later Father Hennepin discovered the Falls of St. Anthony, which he named. Soon trading posts were thickly scattered throughout the territory. The land here was first claimed by the French because of these

explorations, but in 1763 France ceded it to England, who in turn transferred it to the United States in 1783. That part of Minnesota west of the Mississippi River was not included in this transfer, but was a part of the Louisiana Purchase of 1803. That part of the State east of the Mississippi River was in turn a part of the Northwest Territory and of the Territories of Indiana, Illinois, Michigan and Wisconsin, while that part west of the Mississippi practically belonged to Louisiana, Missouri, Michigan and Iowa. In 1849 Congress organized the Territory of Minnesota, and on March 11th, 1858, it was admitted as the thirty-second State of the Union.

STATE SEAL OF MINNESOTA.

Government. This State has had but one Constitution; it was adopted in 1857, and immediately thereafter steps were taken toward admission to the Union. The Constitution may be amended by majority vote of each House of the Legislature, with subsequent ratification by the voters of the State. Any male citizen of the United States may vote who has resided in the State six months and in his election district thirty days. Women are allowed to vote at school elections and for library trustees. The Legislative Department is composed of a Senate of 63 members, chosen for four years, and a House of Representatives of 119 members, chosen for two years by popular vote. The Legislature meets every two years. Sessions are limited to 90 days, and members receive $5 per day while in attendance, and mileage. The State officers are the Governor, Lieutenant-Governor, Secretary of State, Treasurer and Attorney-General, elected every two years, and the Auditor-General, whose term is four years. The Judicial authority is vested in a Supreme Court, limited to five Justices elected by the people for terms of six years each. There are, also, District courts, each presided ever by a Judge who is elected for six years. In every county there is a Probate Judge, whose term is two years, and each township has Justices

of the Peace, each chosen for two years. All officers are eligible to re-election.

Minor. A person under legal age is called an infant, or minor. See INFANT.

Minority Representation. In all Legislative bodies the greater part of the work of promoting legislation is done in committees, of which there are always as many as there are important interests demanding attention. The political party having the greater number of members dominates each committee—by right, for that party is responsible for all legislation enacted and for all failures to respond to popular will in the enactment of laws. Responsibility cannot be fastened upon it, however, if the law-making machinery is partly in politically hostile hands. If such a body as the House of Representatives is composed of 190 Republicans and 180 Democrats, the Republican majority would be very small, and a large majority on each committee would be so unfair that bitter feeling would be manifested; on a committee of fifteen members, therefore, there would be, under such conditions, probably eight Republicans and seven Democrats. If the Republican majority were from fifty to one hundred, instead of ten, a committee of fifteen members might contain from ten to twelve Republicans and from three to five Democrats. The minority accepts without question such a percentage of committee assignments as its whole strength bears to the total membership. See COMMITTEES OF CONGRESS; ORGANIZATION OF CONGRESS.

Mint. A place where the coin of a country is manufactured, and from which it is issued by Government authority, is called a mint. The first mint in the United States was established at Philadelphia, in 1792, that city having been chosen because Congress was in session there at the time. Eight years later the capital was permanently removed to the new City of Washington, but the new mint was left undisturbed in the earlier capital. It remains there today, and this Philadelphia mint is the principal one in the country. Four others have since been established, at New Orleans, San Francisco, Carson (Nev.), and Denver. There has been no money coined at

Carson since the marked decrease in the output of the Nevada silver mines. The Denver mint was never intended to become an important mint; it is really an assay office [q. v.]. See COINAGE.

Misdemeanor, any offense against the public peace, less than felony [q. v.]. Punishment extends no further than a small fine or a jail sentence, or both, in the discretion of the court.

Misfeasance. The commission of a lawful act in an improper or unlawful manner, especially in a manner culpably negligent, is misfeasance. Kent's *Commentaries* says a distinction exists between nonfeasance and misfeasance, that is, between the total omission of an act which one gratuitously promises to do, and a culpable negligence in the execution of it. See NONFEASANCE.

Misprision. Misprision consists in the concealment of crime, especially of treason or any felony. Any officer of the law may be convicted of negative misprision if maladministration of a public trust be sustained against him. See FELONY; TREASON; MISPRISION OF TREASON.

Misprision of Treason is the bare knowledge and concealment of treasonable facts, without any degree of assent thereto. Here is applied the maxim, "It is a crime to conceal a crime," regardless of extent of participation. See TREASON.

Mississippi. Spain had first claim to what is now Mississippi, owing to the explorations of De Soto in 1539–'42, but soon afterward the Frenchmen, Joliet, Marquette and La Salle, made more thorough explorations and planted settlements. Because of these settlements the French domination over the territory was assured. In 1763 France ceded the portion of Louisiana east of the Mississippi, with the exception of New Orleans, to the English, and this section included the present State of Mississippi; in 1783 the British transferred it to the United States. In 1798 Congress organized the Territory of Mississippi; it then embraced what is now the southern part of that State and Alabama. Six years later it was extended northward to the boundary of Tennessee. On December 10th,

1817, Mississippi entered the Union as the twentieth State. On January 9th, 1861, the State declared itself out of the Union by the passage of an Ordinance of Secession, and it became at once a member of the Southern Confederacy. In 1866 a new Constitution was adopted which conformed with the Federal requirements, and in the next year it was again admitted to the Union.

Government. The present Constitution is the third one, adopted in 1890. It is difficult to pass amendments to this document, because any amendment must be approved by two-thirds' vote of all the members of each House of the Legislature, and on three different days, after which it must receive the approval of the majority of the voters of the State. Male citizens of the United States may vote, provided they have resided in the State for two years, and in the election district for one year, with the further provisions that they must be taxpayers and be registered as voters. In order to register, ability to read must be shown, and if necessary, to interpret, when read, any section of the United States Constitution. This aims at the disenfranchisement of the colored voters. The Legislature consists of a Senate and a House of Representatives, elected for four years. Sessions are held every two years, one being called the regular, and given unlimited time, the next a special session, limited to 30 days, unless this time is extended by the Governor. Members receive $400 for every session, regardless of its length. The officers of the State are the Governor, Lieutenant-Governor, Secretary of State, Attorney-General, Auditor, and Treasurer; these all are elected for terms of four years, and all except the Governor and Treasurer are eligible to re-election. The Judicial power is vested in a Supreme Court of three Justices, appointed for nine years by the Governor, with the approval of the Senate; Circuit courts in every county and Chancery courts with Justices appointed in

STATE SEAL OF MISSISSIPPI.

like manner for four years; there are also Justices of the Peace in each township.

Missouri. The territory now embracing the State of Missouri was first owned by the French, through the explorations of Joliet, Marquette and La Salle. The earliest settlements were at St. Genevieve, in 1735, and at St. Louis, in 1774. What is known as Louisiana was ceded to Spain by the French in 1763, and remained under Spanish control until 1800, when it was again transferred to the French and purchased by the United States in 1803, when all of Louisiana came into our possession. The Louisiana Purchase was divided into two sections, the Territory of Orleans and the District of Louisiana. Missouri was a part of the latter. In 1812 Congress organized Missouri Territory, and in 1818 it applied for admission to the Union. This application started a memorable series of debates in Congress, ending with the passage of the Missouri Compromise [q. v.]. A Constitution was drafted in 1820; it was approved by Congress in March, 1821, and on October 10th of that year it was admitted as the twenty-fourth State.

STATE SEAL OF MISSOURI.

Government. The present Constitution was adopted in 1875. It may be amended by majority vote of each House of the Legislature and subsequent ratification by majority vote of the electors of the State. The people, by vote, may call a convention for the purpose of proposing amendments. Male citizens of the United States may vote who have resided in the State one year and in the county or town 60 days. The Legislative Department consists of a Senate of 34 members, elected for four years, and a House of Representatives of 142 members, elected for two years. Sessions are held biennially, are limited to 90 days in length, and members receive $5.00 per day during the first seventy days of any session, after which their compensation is $1.00 per day. The Executive officers are the Governor, Lieutenant-Governor, Treasurer, Auditor, Attorney-

General and Superintendent of Public Instruction, each chosen for four years. All are eligible to re-election except the Governor and Treasurer. The Judicial authority is vested in a Supreme Court of seven members, elected for ten years; in Circuit courts, each having one Judge, elected for six years; in Probate courts in each county and Justices of the Peace in each township. There are separate systems of courts for St. Louis and Kansas City.

Missouri Compromise. One of the most important laws ever passed by the Congress of the United States, and one which in no small way shaped the future of the country, was passed in 1820, under the name of the Missouri Compromise. For several years before 1820 a new State was admitted to the Union every year; to maintain slavery and anti-slavery interests on a peaceful footing, slave and free States were admitted in rotation. When the question of Missouri's admission was before Congress its entrance into the Union as a slave State was objected to because the Territory previously admitted was Alabama, with slavery, in 1819. Before Alabama applied, Missouri's application was in the hands of Congress, in 1818, and Maine also was knocking for admission. These three applications were the occasion for long and very bitter debates, the alignment of Senators and Representatives being determined almost without exception by their State sentiment on the slavery question. The storm centered around the Missouri application, and out of the various bills and amendments a compromise was effected, resulting in the passage of an act with the following main provisions:

[1] Maine was to be admitted as a free State.

[2] Missouri was empowered to form a State Government without prohibition of slavery, but thereafter no slavery should exist in any part of the Louisiana Purchase north of latitude 36° 30′.

This law, the famous Missouri Compromise, calmed the contending factions for a number of years; it also recognized the complete jurisdiction of Congress over the Territories. By the passage of the Kansas-Nebraska Bill [q. v.] the Compromise was repealed.

Modus Vivendi means, literally, a mode of living. In diplomacy, it signifies a temporary arrangement between the authorities of two countries providing for the conduct of certain affairs while negotiations for a treaty bearing upon the same matters is being negotiated. Its effect is that of a temporary treaty.

Monarchy, a country governed by a ruler who secures his throne not by popular selection, but through hereditary descent. If the will of the monarch is the supreme law of the realm, as in Turkey and until recently in Russia, the Government is an unlimited, or absolute, monarchy; if the will of the monarch is limited by constituted Legislative authority, such a Government is a limited monarchy. Examples of the latter are Great Britain and the German Empire. In the limited monarchies of modern times the hereditary ruler's actual power is much restricted; he would hardly dare refuse his sanction to an act of legislation demanded by a majority of the people, and although he may very frequently suggest legislation, his wishes are sometimes ignored. The tendency of the popular will is slowly, although very slowly, perhaps, towards republican government. The same independent tendencies are noticeable in absolute monarchies; within a reasonably short time the last of these among enlightened nations without doubt will have disappeared.

Money. The word money has been variously defined. Summing up all shades of opinion, it is a medium of exchange and a measure of value. From a fixed standard in any monetary system all other values in that system are reckoned, somewhat in the manner that comparative distances are computed from a given meridian. In order to discharge its function as a medium of exchange, money must have such stability in value that everywhere within the country in which it circulates it will be accepted in payment of debts. We think of money today as coin or bank bills, but in the days of less complex civilization very many articles have been accepted as full mediums of exchange. Among these articles are tobacco, tea, salt, cattle, etc.

Our modern system of legal tender [q. v.] money required much patient development. As stated above, it was not always in coin or amply secured paper. Considering the dollar as the basis of a currency system, cattle of given weight and breed among early peoples represented the dollar, or standard of value, while more primitive folk made use of any article sufficiently abundant for standard payment. Thus, in ancient Greece, a large bronze tripod had the market value of a dozen oxen. On the other hand, and it seems strange at this day, a good, hard-working woman was given in exchange for only four such beasts. When metal took its place as money, the basal dollar clung to its traditions, and coins were still called after live stock. Thus, *pecunia* (wealth), applied to metal money, derived its origin from *pecus* (cattle). From the custom of counting head of cattle came the present designation of a sum in cash—capital, or *capita* (heads). In Sanscrit, *roupe* (herd, flock) made *roupya*, later modified to *rupee*, the basal coin of India. Ingots of electrum, or a mixture of gold and silver, were once basal coin, and they bore invariably the impress of an ox or cow.

It was a great step towards present-day systems of money when gold and silver took their places as standards of value and the clumsy devices of the ancients were discarded. The two precious metals possess acceptability, by reason that they are easily portable, are readily recognized, can be divided into aliquot parts for fractional currency, and contain great value in small bulk. A further advantage lies in the fact that the market value of gold can be kept at practically the same point from decade to decade; it is thus a safe basis on which all values may be established. The market value of silver is less stable, hence it does not serve as acceptably as a standard. When the two metals, gold and silver, together form the basis of a currency, that system supports what is called a bimetallic currency, or double standard, and the proportionate value of the two, ounce for ounce, is maintained by law. On the other hand, if a currency system is based on gold alone, such a system is monometallic, or a single standard. For description of the

different kinds of money current in the United States, see the various denominational names;. see also, BIMETALLISM; MONOMETALLISM.

Money-Order, an order drawn by one postmaster, or postoffice, upon another, authorizing the payment to a third party of a sum of money named therein, all in accordance with postal laws and regulations. A single money-order can be issued in any sum up to one hundred dollars; the fee charged is from three cents to thirty cents.

Money-Order Office, a bureau or subdivision of the Postoffice Department, having charge of money-order business. Not all postoffices are money-order offices; about one in ten is so designated by the Government.

Monometallism. The financial doctrine that one metal shall alone serve as the basis of a country's currency system is called monometallism. The metal naturally chosen for such a purpose is gold, because it is the most precious, and it scarcely varies in market value from decade to decade; silver, however, is yet the single standard of value in some countries.

The United States is a monometallic, or single standard country, notwithstanding the fact that there is silver in circulation. Silver is coined only for purposes of the Government. There is no ratio of value established and maintained between it and gold, and silver is not legal tender for many purposes for which money is demanded. However, everybody accepts silver freely, knowing it to be always redeemable by the authority which issues it. A person who presents gold at our mints can have it converted into coin, dollar's worth for dollar's worth, except a slight charge for expense of coinage. Under a bimetallic (gold and silver) standard, the owner of silver bullion would enjoy the same privilege. See BIMETALLISM; SIXTEEN-TO-ONE.

Monroe Doctrine. In 1815 there was formed in Europe what was known as the "Holy Alliance," a union between Russia, France, Prussia and Austria, for the purpose of maintaining the monarchical systems of government which had been seriously threatened by the spirit of republicanism inspired by

recent events in France. It was suspected by the United States Government that these and other countries expected to extend their operations to the New World, and the acts of Spain in South America tended to confirm the belief. Strong monarchies in the southern continent, under control of European sovereigns, would seriously threaten our republic in any emergencies involving war; moreover, the South American republics looked to the United States to protect them against the rapacity of Europeans.

President Monroe and his advisers felt that inasmuch as our policy was one of non-interference in the affairs of Europe, in return the States of Europe should not interfere with institutions planted on this side of the Atlantic. Accordingly, in his annual message of 1823 he announced this view of the matter in the following words:

"In the wars of the European powers in matters relating to themselves we have never taken any part, nor does it comport with our policy so to do. It is only when our rights are invaded or seriously menaced that we resent injuries or make preparation for our defence. With the movements in this hemisphere we are, of necessity, more immediately connected, and by causes which must be obvious to all enlightened and impartial observers. The political system of the allied powers is essentially different in this respect from that of America. This difference proceeds from that which exists in their respective Governments. And to the defence of our own, which has been achieved by the loss of so much blood and treasure, and matured by the wisdom of their most enlightened citizens, and under which we have enjoyed unexampled felicity, this whole nation is devoted. We owe it, therefore, to candor, and to the amicable relations existing between the United States and those powers, to declare that we should consider any attempt on their part to extend their system to any portion of this hemisphere as dangerous to our peace and safety. With the existing colonies or dependencies of any European power we have not interfered and shall not interfere. But with the Governments who have declared their independence, and maintained it, and whose independence we have, on great consideration and on just principles, acknowledged, we could not view any interposition for the purpose of oppressing them, or controlling in any other manner their destiny, by any European power, in any other light than as the manifestation of an unfriendly disposition towards the United States. In the war between these new Governments and Spain we declared our neutrality at the time of their recognition, and to this we have adhered and shall continue to adhere, provided no change shall occur

which, in the judgment of the competent authorities of this Government, shall make a corresponding change on the part of the United States indispensable to their security.

The late events in Spain and Portugal show that Europe is still unsettled. Of this important fact no stronger proof can be adduced than that the allied powers should have thought it proper, on any principle satisfactory to themselves, to have interposed, by force, in the internal concerns of Spain. To what extent such interposition may be carried, on the same principle, is a question in which all independent powers whose Governments differ from theirs are interested, even those most remote, and surely none more so than the United States. Our policy in regard to Europe, which was adopted at an early stage of the wars which have so long agitated that quarter of the globe, nevertheless remains the same, which is, not to interfere in the internal concerns of any of its powers; to consider the Government de facto as the legitimate Government for us; to cultivate friendly relations with it, and to preserve those relations by a frank, firm, and manly policy, meeting, in all instances, the just claims of every power; submitting to injuries from none. But in regard to these continents, circumstances are eminently and conspicuously different. It is impossible that the allied powers should extend their political system to any portion of either continent without endangering our peace and happiness; nor can any one believe that our Southern brethren, if left to themselves, would adopt it of their own accord. It is equally impossible, therefore, that we should behold such interposition, in any form, with indifference. If we look to the comparative strength and resources of Spain and those new Governments, and their distance from each other, it must be obvious that she can never subdue them. It is still the true policy of the United States to leave the parties to themselves, in the hope that other powers will pursue the same course."

He also declared that—

"The American continents should no longer be subjects for any new European settlements."

The quotations above embody what has come to be known as the Monroe Doctrine. It means that this nation guarantees political protection and freedom to every country of North and South America. It is true that neither Monroe nor his successors interpreted the Doctrine as a possible cause for declarations of war, but so popular has the sentiment grown with the years that Europe now understands it to be a principle we are determined to uphold at all hazards. In 1867 it was applied to the pretensions of France and Austria in Mexico, and the latter country was saved from foreign control. [See MAXI-

MILIAN.] President Cleveland invoked it later successfully against England, in that nation's controversy with Venezuela.

The Monroe Doctrine is merely a sentiment; it has never been enacted into a statute. Nevertheless, precedent has beyond doubt determined what action future Presidents and Congresses will take, should occasion arise.

Montana. Montana was brought to the attention of the world by the expedition of Lewis and Clark in 1805, although there had been earlier explorations in the vicinity fifty years before. The first settlements were not made until between the years 1809 and 1829, but they were very small, and growth was extremely slow. The discovery of minerals in 1852 gave a new impetus to settlement, and by 1860 there was rapid immigration. This region was organized in 1860 as a part of the Territory of Washington; in 1863 it became a part of Idaho, and on May 22nd, 1864, Congress established the Territory of Montana. In 1884 a Constitution was adopted and application was made for admission to the Union, but Congress did not pass the enabling act until 1889; on November 8th of that year Montana became the forty-first State of the Union.

STATE SEAL OF MONTANA.

Government. This State has had but one Constitution, referred to above. It may be amended by two-thirds' vote of all the members of both Houses of the Legislature, and ratified by the people at a regular election. Citizens of the United States, whether male or female, vote at all elections, provided they have lived in the State one year. The Legislative Department is composed of a Senate of 26 members, elected for a term of four years, one-half of them being chosen every year, and a House of Representatives of 72 members, elected for two years. Sessions are held biennially, and are limited to 60 days. Members receive $6.00 per day during sessions. The State officers are the Governor, Lieutenant-Governor, Secretary of State, Attorney-General, Treasurer, Auditor, Adjutant-General and

Superintendent of Public Instruction. The Judicial power is vested in a Supreme Court of three Justices, chosen by election for six years; in twelve District courts, each with one Judge, elected for four years; in townships and cities there are, also, Justices of the Peace.

Mother of Presidents is a name frequently applied to the State of Virginia, because it was the birthplace of seven of our Chief Executives. Time is dimming the luster of the name.

Mount Vernon. The home and burial place of George Washington will always possess interest to the student of American government. The facts of history connected with it are well known, but the derivation of the name is known to but few. The facts in this connection are as follows:

The unfortunate Duke of Monmouth had a private secretary named Vernon, a prudent, sensible man of business, who after the Duke's death found favor in influential quarters, and under William the Third became Secretary of State. He left a son, Edward, born 1684, who greatly against his father's wishes entered the navy, and serving with early distinctions rose to the rank of Admiral. In 1722 he was returned to the House of Commons and having, in July, 1739, declared there that Porto Bello might be reduced with six sail of the line, and that he would stake his life and reputation on the success of the expedition, he was sent off with a squadron to do it, succeeded, and gave the men ten thousand dollars which had just arrived to pay the Spanish troops. On returning home, he received the thanks of both houses and the freedom of the city of London.

From that day, however, his star declined. An expedition to Carthagena made two years later signally failed. Smollett, at that time a naval surgeon, accompanied the fleet, and has told the story of it in "Roderick Random," where he compares Vernon and General Wentworth, who commanded the auxiliary land force, to Caesar and Pompey. "The one," he says, "would not brook a superior, while the other was impatient of an equal; so that between the pride of one and the insolence of another the enterprise miscarried." It was in the land force at Carthagena, that Lawrence Washington, George's elder brother by fourteen years, had served, and apparently he esteemed Vernon, as he gave his name to his home on the Potomac, and procured a Midshipman's appointment for George, but his mother's interposition ultimately prevented the boy's availing himself of it, albeit she had at first consented. Vernon's popularity was so great that his unlucky expedition does not seem to have affected it, and he was actually elected to Parliament for three places at once on his return.

Mugwump. A voter who believes more in principles than in political parties, and who does not hesitate to desert his party temporarily when he believes it wrong, or when it nominates weak men for office, is called a mugwump. The term was first used in derision, in the Presidential campaign of 1884, when many Republicans deserted their nominee, James G. Blaine. It is of Indian origin, signifying one of superior wisdom, or of exaggerated importance. Those to whom the term applied adopted it as a mark of honor and within a dozen years it had lost its opprobrious significance. Independent voting is now more the rule than the exception, due to enlightened public sentiment. See INDEPENDENT.

Mud-Sill, another name for the wooden ties on which railroad steel rails are laid. Just before the Civil War a United States Senator referred contemptuously to the working classes as the "mud-sills of society." The metaphor was not well received in the North, but very soon afterwards the Southern aristocracy, inflamed by the rising passions of war, used the phrase with reference to the great middle classes of the Northern States, and all through the South "Northern mud-sills" was long a favorite anathema.

Municipal League, NATIONAL, a body organized in 1894, with headquarters in Philadelphia, composed of associations in various cities for the study of municipal problems. Its object is to promote good citizenship and to investigate and discuss conditions and details of civic administration. There are now (1908) over 150 local associations affiliated with the League, which numbers among its membership over 1,000 of the most prominent citizens of the United States.

Municipal Ownership. The rapid growth of cities gives rise to many questions of public policy which were little discussed before 1890. The necessity of providing adequately for the multiplying needs of thickly-settled districts has led to the belief on the part of many that all public utilities should be controlled by the people and not be given into the hands of private corporations. It is absolutely necessary that there should be a never-failing supply of good water, that there

should be satisfactory lighting service, rapid transit, good telephone and telegraph operation, and the like. Naturally, competition in most of these lines, if not in all, is impossible, if satisfactory service is to be provided. What must be a monopoly may become oppressive when in the hands of private companies, by reason of inefficient service or insufficient supply. Experience teaches that a company with a perpetual or long-term franchise is often deaf to appeals from the authorities for betterment of their particular part of the public service. To insure the desired grade of operation and supply, and to guard against excessive charges, it is necessary that the municipality shall either own the various public enterprises or regulate them strictly in the hands of private operators. It is difficult yet to prophesy the ultimate direction in which the American public will turn; from 1905 to 1907 the municipal ownership idea seemed to gain many adherents, but the tide later turned towards strict regulation. There are many people who would be pleased to see all public service corporations owned by the municipality, but leased for short terms to private companies for operation, under conditions favorable to the best possible service.

Murder is the act of unlawfully killing a human being with premeditated malice, by a person of sound mind or in possession of his reason sufficiently to know the nature and quality of his act. In common law there is no recognition of degree in murder, although in most of the States the crime is divided into first, second and third degrees of guilt. The first degree includes all cases where the act was committed with deliberation, with plain intent to kill, where malice is proved. The second degree includes cases where malice is present but where the intent is not established beyond question. The laws defining the third degree vary in the different States, but in most it includes those instances where malice is developed only slightly and where the intent is not plain. Murder in the first degree is punishable by death or imprisonment for life; in the second degree by imprisonment up to about twenty years; in the third degree, seldom longer than three or five years.

Mutiny is revolt against constituted authority, especially open resistance to commanding officers in armies and navies. Instances of mutiny in the United States are rare. In 1781 the commander of the Revolutionary troops at Morristown, N. J., could not exact obedience from his men, who marched to Princeton, where Congress was in session, and demanded that their immediate wants be supplied. That their act was not traitorous was shown by the fact that emissaries of the British who visited them were arrested and turned over to Congress as prisoners of war. Again in 1782, after the war was practically over, a portion of the army became displeased with the outlook for the new Government and against all authority memorialized General Washington to proclaim himself dictator. He was promised the strength of the army against all opposition of the States. Washington replied that the plotters "could not have found a man to whom their schemes were more disagreeable."

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National Bank, a bank organized by private capital to do a general banking business, under certain restrictions imposed by the Government of the United States, and subject always to the control of the Treasury Department. In 1863 Congress passed the first law authorizing the organization of banks of this class. There have been various changes in the National Bank Act, all tending to afford greater security to the public.

Banks chartered under the above law may deposit with the Treasury Department United States bonds and receive in exchange National bank bills for circulation as legal tender money, up to ninety per cent of the market value of the bonds so deposited; but no single bank may have over $300,000,000 in such circulation. One-fourth of the capital of each National bank must be invested in United States bonds, if said bank is capitalized at $150,000 or over; if its capital is less than $150,000, one-third of it must be so invested. A bank may be organized under the National banking laws with a capital as small as $25,000, if its location is in a town of not more than 3,000 inhabitants.

Each National bank receives a periodical inspection at the hands of a representative of the Treasury Department; if its condition is such as to make its solvency questionable or if the banking law has been violated, the examiner may advise the Comptroller of the Currency to place the institution in charge of a Government receiver. If this is done, the affairs of the bank may be straightened out and business may be resumed under former conditions, but usually a receivership results in winding up the bank's affairs, in which event its charter is surrendered.

A National bank is conducted very much as a State or private bank; it receives money on deposit, paying a low rate of interest therefor, and loans a large portion of the same money at a higher interest rate. Its profits are derived largely from the difference between these two items of interest.

National Convention. In the United States Government, a National convention is a meeting of delegates, chosen by successive political steps, to nominate candidates for President and Vice-President of a party, and to prepare a platform on which to appeal for votes in a forthcoming Presidential election. The National convention now so commonly known has not always been the means by which the candidates have been selected. In the early days of the republic, a caucus of Congressmen of each political party selected the standard bearers of that party for each Presidential campaign. There was not enough of the popular element in this method, however, and little by little the convention was developed, until now every four years the convention of each party is thoroughly representative of the nation, each State and Territory having representation proportionate to its population. The various steps leading to the National conventoin are summarized briefly below. The steps by which one party prepares for such a meeting are exactly similar to the plans adopted by all other parties.

There is in each party a National committee composed of one member from each State and Territory. This National committee has in charge the location of the National convention and arrangement of all details in connection with the meeting itself. Fully six months before the convention is to be held, the committee meets in the City of Washington and appoints a time and place for it to convene. The place and time having been determined, the fact is published officially by each National committeeman in his State. Then begins the task of selecting delegates to the convention. In every township there is held a township caucus to choose delegates to a county convention, which convention later meets to choose delegates to a State convention, who, when they meet in said State convention, are charged with the responsibility of choosing delegates to the National convention. According to the rules of the National committee, there are twice as many delegates in a convention as there are Senators and Representatives from each State in Congress, and each Territory also has representation. Therefore, if a State has a Congressional repre-

sentation of two Senators and twelve Representatives, it is entitled to twenty-eight delegates in the National convention. Besides the selection of delegates, the State convention chooses as many alternates, one alternate for each delegate. Therefore, if a delegate is unable to attend, his place is taken by his alternate, and the ranks of the delegation are maintained intact.

This system is looked upon by many as cumbersome and involving too much detail, but nothing short of this would meet with popular approval at this day. Under the Congressional system of choosing candidates for the Presidency and Vice-Presidency, the people themselves had but little voice in the matter; under the present system, the people may be all-powerful. If there is a widespread sentiment in a State for any man as a nominee for President, that sentiment may exert itself from the township caucus direct to the State convention, and if strong enough, sway the State convention, causing it to select delegates to the National convention who are pledged to vote and work for the nomination of the State's choice for President. If the sentiment for this same man is nation-wide, the action of a considerable number of States may insure his nomination.

When the National convention meets, its first task is organization, at which time contesting delegations may be heard, and seats given to those who appear most rightfully to deserve them. Appointments of committees follow, the most important of which is the committee on platform. Adjournment is then taken until the committees can have their reports ready. After the adoption of the platform and the reception of reports of other committees, nominations for President and Vice-President are in order. The list of States is called alphabetically, Alabama being first and the Territories last, and the chairman of each State delegation announces the vote of that State. Sometimes a great many ballots are necessary to a choice. In 1872, when the Grant third-term adherents clung with tenacity to their idol, many dozen ballots were taken before the deadlock was broken and a nomination was possible. Not since then has a President attempted to secure a third term.

National Conventions Since 1880. Following is a list of the National nominating conventions of all political parties from 1884 to 1908, inclusive, with the exception of some of the minor organizations in the latter year:

1880—Democratic: Cincinnati, O., June 22-24; Winfield S. Hancock and William H. English.

Republican: Chicago, Ill., June 2-8; James A. Garfield and Chester A. Arthur.

Greenback: Chicago, Ill., June 9-11; James B. Weaver and B. J. Chambers.

Prohibition: Cleveland, O., June 17; Neal Dow and A. M. Thompson.

1884—Democratic: Chicago, Ill., July 8-11; Grover Cleveland and Thomas A. Hendricks.

Republican: Chicago, Ill., June 3-6; James G. Blaine and John A. Logan.

Greenback: Indianapolis, Ind., May 28-29; Benjamin F. Butler and Alanson M. West.

National Prohibition: Pittsburg, Pa., July 23; John P. St. John and William Daniel.

Anti-Monopoly: Chicago, Ill., May 14; Benjamin F. Butler and Alanson M. West.

Equal Rights: San Francisco, Cal., Sept. 20; Mrs. Belva A. Lockwood and Mrs. Marietta L. Stow.

1888—Democratic: St. Louis, Mo., June 5; Grover Cleveland and Allen G. Thurman.

Republican: Chicago, Ill., June 19; Benjamin Harrison and Levi P. Morton.

Prohibition: Indianapolis, Ind., May 20; Clinton B. Fisk and John A. Brooks.

Union Labor: Cincinnati, O., May 15; Alson J. Streeter and Samuel Evans.

United Labor: Cincinnati, O., May 15; Robert H. Cowdrey and W. H. T. Wakefield.

American: Washington, D. C., Aug. 14; James L. Curtis and James R. Greer.

Equal Rights: Des Moines, Iowa, May 15; Mrs. Belva A. Lockwood and Alfred H. Love.

1892—Democratic: Chicago, Ill., June 21; Grover Cleveland and Adlai E. Stevenson.

Republican: Minneapolis, Minn., June 7-10; Benjamin Harrison and Whitelaw Reid.

Prohibition: Cincinnati, O., June 29; John Bidwell and J. B. Cranfill.

National People's: Omaha, Neb., July 2-5; James B. Weaver and James G. Field.

Socialist-Labor: New York, N. Y., Aug. 28; Simon Wing and Charles H. Matchett.

1896—Democratic: Chicago, Ill., July 7; William J. Bryan and Arthur Sewall.

Republican: St. Louis, Mo., June 16; William McKinley and Garret A. Hobart.

People's Party: St. Louis, Mo., July 22; William J. Bryan and Thomas E. Watson.

Silver Party: St. Louis, Mo., July 22; William J. Bryan and Arthur Sewall.

National Democratic: Indianapolis, Ind., Sept. 2; John M. Palmer and Simon B. Buckner.

Prohibition: Pittsburg, Pa., May 27; Joshua Levering and Hale Johnson.

National Party: Pittsburg, Pa., May 28; Charles E. Bentley and James H. Southgate.

Socialist-Labor: New York, N. Y., July 6; Charles H. Matchett and Matthew Maguire.

1900—Democratic: Kansas City, Mo., July 4-6; William J. Bryan and Adlai E. Stevenson.

Republican: Philadelphia, Pa., June 19-21; William McKinley and Theodore Roosevelt.

People's Party: Sioux Falls, S. D., May 9-10; William J. Bryan and Adlai E. Stevenson.

People's Party (Middle-of-the-Road): Cincinnati, O., May 9-10; Wharton Barker and Ignatius Donnelly.

Silver Republican: Kansas City, Mo., July 4-6; William J. Bryan and Adlai E. Stevenson.

Prohibition: Chicago, Ill., June 27-28; John G. Woolley and Henry B. Metcalf.

Socialist-Labor: New York, N. Y., June 2-8; Joseph P. Malloney and Valentine Remmel.

Social Democratic Party of the United States: Rochester, N. Y., Jan. 27; Job Harriman and Max S. Hayes.

Social Democratic Party of America: Indianapolis, Ind., March 6; Eugene V. Debs and Job Harriman.

Union Reform: Baltimore, Md., Sept. 3; Seth W. Ellis and Samuel T. Nicholson.

1904—Democratic: St. Louis, Mo., July 6-9; Alton B. Parker and Henry G. Davis.

Republican: Chicago, Ill., June 21-23; Theodore Roosevelt and Charles W. Fairbanks.

People's Party: Springfield, Ill., July 4-6; Thomas E. Watson and Thomas H. Tibbles.

Prohibition: Indianapolis, Ind., June 29-July 1; Silas C. Swallow and George W. Carroll.

Socialist-Labor: New York, N. Y., July 3-9; Charles H. Corrigan and William W. Cox.

Socialist-Democratic Party of America: Chicago, Ill., May 1-6; Eugene V. Debs and Benjamin Hanford.

Continental: Chicago, Ill., Aug. 31; Charles H. Howard and George H. Shibley. (Nominees declined and Austin Holcomb and A. King were substituted by the national committee.)

1908—Republican: Chicago, Ill., June 16; William H. Taft and James S. Sherman.

Democratic: Denver, Colo., July 7; William J. Bryan and John W. Kern.

Prohibition: Columbus, Ohio, July 15; Eugene W. Chafin and A. S. Watkins.

National Debt. See DEBT OF THE UNITED STATES.

National Guard. See MILITIA; NAVAL MILITIA.

Nationalism, the doctrine in the United States that the Government should exercise a larger control of affairs which are of National importance. The advocates of this policy are working for Government control of telegraphs, telephones, express companies and railroads; the ownership by the Government of mines, oil-wells and gas-wells; public ownership or control of heating and lighting facilities and of the street car service in cities. These enterprises, so conducted, would not be for profit, but all service would be given at cost price. Many principles of the municipal ownership propaganda are identical with the demands of Nationalism. See MUNICIPAL OWNERSHIP.

National Republican Party, a political party of short life, which took part in only one Presidential campaign—that of 1832. For some years prior to the election of John Quincy Adams there had been but one party, the Republican, or Democratic-Republican, but during Adams's administration serious differences arose in the ranks of politicians. Two groups became clearly defined—the Adams and Clay Republicans and the Jackson Republicans. The former favored a protective tariff, National banks and internal improvements, all of which were opposed by the Jackson adherents, who changed their name to Jackson Democrats, a term they fancied

brought them nearer to the people. The Adams and Clay contingent formed the National Republican party and nominated Clay for the Presidency, but was overwhelmingly defeated. The remnants of the party helped to form the later Whig organization. See Political Parties in the United States.

Nativism is the political doctrine which demands that partiality be shown native-born citizens in preference to foreign-born, though naturalized, Americans. It was the principal tenet of the American party, which survived only a single Presidential campaign. See Political Parties in the United States.

Natural Allegiance. See Allegiance.

Naturalization is the legal process by which an alien [q. v.] may by successive steps become a citizen of the United States, with all the rights and privileges that pertain to any other citizen, except that he cannot hold the office of President. Many nations of Europe once adhered to the opinion, and enforced their belief by resort to arms, that a person subject to a ruler of one country could never forswear his allegiance and become a citizen or subject of any other country. The United States changed this view at the conclusion of the War of 1812, which was fought partly to uphold the right of Englishmen to become Americans and to serve their adopted country in its army and navy. Today all the principal nations of the world have enacted laws providing for the naturalization of aliens, with the exception of Turkey and Russia.

The Constitution gives to Congress the power to declare by what process an alien may become a citizen. By complying with the requirements as outlined by Congress, any foreigner may receive in due course of time his naturalization papers, but it is only as a citizen of the United States that he accepts them. Any State has the right to impose restrictions upon foreign-born people as to citizenship within the State. However, in strict conformity to Congressional standards, every State accepts as a citizen any person who has received his naturalization papers. Many States make it possible for the foreigner to become a citizen of the State and to exercise all the

rights and privileges of other citizens within the State before he is a naturalized citizen under the laws of Congress. In other words, a State may grant to a foreigner the right to vote at State elections after he has taken out his first set of naturalization papers, hereinafter described. The manner in which an alien may be clothed with citizenship is as follows:

Declaration of Intention. The alien must declare upon oath before a circuit or district court of the United States or a district or supreme court of the Territories, or a court of record of any of the States having common law jurisdiction and a seal and clerk, two years at least prior to his admission, that it is, *bona fide*, his intention to become a citizen of the United States, and to renounce forever all allegiance and fidelity to any foreign prince or State, and particularly to the one of which he may be at the time a citizen or subject.

Oath on Application for Admission. He must at the time of his application to be admitted declare on oath, before some one of the courts above specified, "that he will support the Constitution of the United States, and that he absolutely and entirely renounces and abjures all allegience and fidelity to every foreign prince, potentate, State, or sovereignty, and particularly by name, to the prince, potentate, State, or sovereignty of which he was before a citizen or subject," which proceedings must be recorded by the clerk of the court.

Conditions for Citizenship. If it shall appear to the satisfaction of the court to which the alien has applied that he has made a declaration to become a citizen two years before applying for final papers, and has resided continuously within the United States for at least five years, and within the State or Territory where such court is at the time held one year at least; and that during that time "he has behaved as a man of good moral character, attached to the principles of the Constitution of the United States, and well disposed to the good order and happiness of the same," he will be admitted to citizenship.

Titles of Nobility. If the applicant has borne any hereditary title or order of nobility he must make an express renunciation of the same at the time of his application.

Minors. Any alien under the age of twenty-one years who has resided in the United States three years next preceding his arriving at that age, and who has continued to reside therein to the time he may make application to be admitted a citizen thereof, may, after he arrives at the age of twenty-one years, and after he has resided five years within the United States, including the three years of his minority, be admitted a citizen; but he must make a declaration on oath and prove to the satisfaction of the court that for two years next preceding it has been his *bona fide* intention to become a citizen.

Children of Naturalized Citizens. The children of persons who have been duly naturalized, being under the age of twenty-one years at the time of the naturalization of their parents, shall, if dwelling in the United States, be considered as citizens thereof.

Citizens' Children Who Are Born Abroad. The children of persons who now are or have been citizens of the United States, are, though born out of the limits and jurisdiction of the United States, considered as citizens thereof

Chinese. The naturalization of Chinamen is expressly prohibited by Section 14, Chapter 126, laws of 1882.

Protection Abroad to Naturalized Citizens. Section 2,000 of the Revised Statutes of the United States declares that "all naturalized citizens of the United States while in foreign countries are entitled to and shall receive from this Government the same protection of persons and property which is accorded to native-born citizens."

Natural Rights, those rights of a law-abiding person that are not at the disposal of the Government, either to grant or to withhold, but which are inalienable and indefeasible. Such are the absolute rights of life, liberty and personal security.

Naval Academy. At Annapolis, Maryland, the Government of the United States has located a great school for the training of young men for service in the navy. Until 1845, naval recruits were taken from the farms, workshops and factories of the country and placed immediately on board ship, where they received what little technical instruction the surroundings afforded. A recruit was received as midshipman and placed under the direction of educated and experienced officers of the navy, and given instruction largely in mathematics and sailing. The promotion from the grade of midshipman to that of Lieutenant was made in accordance with recommendations from commanding officers; promotional examinations were rare and never held except at the pleasure of commanders. This manner of recruiting the navy was very unsatisfactory. In 1845 George Bancroft, then Secretary of the Navy, founded the naval school in an old building at Annapolis. A five-year course was established, one year at school, three years at sea, and then one more year at school. Various changes in this school have been made, and step by step a strong naval school was organized. It is today a model for the whole world.

There are allowed at the Academy one naval cadet for each member of the United States House of Representatives, one for the District of Columbia, and ten at large. The appointment of cadets at large and for the District of Columbia is made by the President. The Secretary of the Navy, as soon after March 5 in each year as possible, must notify in writing each member of the House of Representatives of any vacancy that may exist in his district. The nomination of a candidate to fill the vacancy is made, on the recommendation of the member, by the Secretary. Candidates must be actual residents of the districts from which they are nominated.

Candidates at the time of their examination for admission must be not under fifteen nor over twenty years of age, and physically sound, well formed, and of robust condition. They enter the Academy immediately after passing the prescribed examinations, and are required to sign articles binding themselves to serve in the United States navy eigth years (including the time of probation at the Naval Academy), unless sooner discharged. The pay of a naval cadet is five hundred dollars a year, beginning at the date of admission.

At least ten appointments from among the graduates are made each year. Surplus graduates who do not receive appointments are given a certificate of graduation, an honorable discharge, and one year's sea pay.

Naval Militia, an adjunct of the United States navy, bearing a somewhat similar relation to that department as the military militia does to the army (See MILITIA). The duty of the naval militia in time of war is to man the coast and harbor defense vessels, leaving the officers and men of the navy proper free to do offensive work. This militia also is expected to operate in boat squadrons with torpedoes against any hostile fleet in our waters. All matters pertaining to the naval militia come under the direction of the Assistant Secretary of the Navy, who transacts business with its various divisions through the Governors and Adjutants-General of the States. There are at present organizations as follows:

State.	Officers.	Men.	State.	Officers.	Men.
California	36	378	Maine	5	63
Connecticut	19	202	Maryland	22	274
Dist. of Columbia	14	200	Massachusetts	35	449
Georgia	13	117	Michigan	21	413
Illinois	55	636	Minnesota	21	113
Louisiana	36	478	New Jersey	29	322

State.	Officers.	Men.	State.	Officers.	Men.
New York.....	47	581	Pennsylvania....	8	86
North Carolina. ..	35	222	Rhode Island....	15	186
Ohio.....	16	138			

Naval Reserve. In the United States there is no naval reserve, as that term is understood in Europe. The nearest to it in our own country is the naval militia [q. v.].. In nations where there is a naval reserve it is composed of men who have had experience in the various naval grades through compulsory enlistment and who are capable of performing regular duty if called into active service with the fleet. The naval militia of several of our States is called the naval reserve.

Navigation Laws, the name applied to those acts of Congress which were designed to give this country and its shipowners a monopoly, or at least a decided advantage, over its neighbors in its maritime commerce. The United States laws on this subject were nearly all passed between the years 1789 and 1793, but they are so defective that they have failed to build up a coasting or foreign commerce to the proportions seen in other countries having more favorable statutes. Attempts to put new legislation on the statute books have not met with success, principally because the sponsors have worked along the line of subsidies (See SUBSIDY), which appear not to be in favor with the masses. The present laws, in force for over one hundred years, with practically no revisions, embody the following provisions:

1. No vessel can be called an American vessel unless wholly built on American territory and owned and officered by citizens of the United States. No other is entitled to the protection of the American flag.

2. Foreign vessels may not engage in our coatwise trade, either on the Atlantic or Pacific shores. If an American owner of a coasting vessel resides abroad for even a short period, his vessel is classed as foreign and thus is denied trading and carrying privileges.

3. Vessels may be constructed at home of duty-free material from foreign countries, if said vessel is intended to be used in foreign commerce. However, should the ship engage more than one-sixth of the time in coasting trade, the duty will be assessed and collected.

4. If an American ship undergoes repairs in a foreign port, it must pay duty upon said repairs when it reaches an American port. Restrictions are placed upon repairs in our home ports with material of foreign manufacture.

5. American vessels may unload at any port of entry in a customs district; foreign ships must deposit their cargoes at one designated port in each district.

6. If an American vessel is sold to foreigners, it can never again sail under our flag.

By these laws Congress has not encouraged American capital to invest in ships and equipment for carrying on a great industry. The result is that nearly all the vessels which ply between the United States and foreign countries are owned and officered by Europeans. Our coasting trade is not half what it would be under more favorable laws.

Navy. The entire marine military force of a country, equipped and drilled for purposes of offense and defense at sea, is called a navy [See NAVY OF THE UNITED STATES]. From earliest days, navies have played very important parts in the history of the world. In ancient Greece, the boats of the navy, manned by rowers, were termed the "wooden walls" of Athens. From the triremes of that day to the immense steel warships of this century, the story is one of continued development, keeping pace with the progress of civilization. Statistics on the naval armaments of the various nations for any one year are of little value twelve months afterwards; the great nations are constantly adding to their naval equipment, and each strives to outdo the others in the building of immense floating fortresses. A few years ago a warship of 10,000 tons was thought to be the limit of engineering skill. It was succeeded shortly by the 12,000-ton monster, and today the 20,000-ton vessel is not rare. The naval equipment of the various nations of the world in 1907 was as follows:

COUNTRY.	First-class battle ships.		Second-class battle ships.		First-class cruisers.		Second-class cruisers.	
	No.	Displacement. Tons.	No.	Displacement. Tons.	No.	Displacement. Tons.	No.	Displacement. Tons.
Great Britain.....	55	809,450	11	113,780	48	584,750	27	169,510
United States.....	27	375,847	6	23,546	15	186,595	3	20,620
Germany.....	26	319,566	9	37,602	9	93,345	6	34,245

Country.	First-class battle ships.		Second-class battle ships.		First-class cruisers.		Second-class cruisers.	
	No.	Displacement. Tons.	No.	Displacement. Tons.	No.	Displacement. Tons.	No.	Displacement. Tons.
France	23	321,977	17	143,352	15	169,027	13	83,277
Japan	13	190,844	3	18,590	13	138,012	4	23,306
Russia	8	110,952	6	58,883	6	63,166	8	52,610
Italy	8	95,418	7	85,640	7	61,250	3	17,303

Of third-class cruisers the same nations have 46, 14, 26, 22, 15, 2, and 14, in the order named above.

Navy, Department of the. During Washington's two administrations, naval forces of the new republic were in charge of a bureau of the War Department, but in 1798 the Department of the Navy was organized as one of the Executive departments, with the Secretary of the Navy at its head, who became thereby a member of the Cabinet of the President. The Secretary is appointed by the President, and this choice must be confirmed by the Senate. The Navy Department has entire charge of all the vessels forming the fighting arm of the Government, together with such auxiliary vessels as are necessary for the proper maintenance of a great fleet. It controls also navy yards and dockyards in every naval station belonging to this country, wherever they may be located. A very important adjunct of this Department is the Hydrographic Office, which makes all the nautical charts, with sailing directions for use of all commanding officers of the various war vessels and auxiliaries.

The Department is divided into bureaus; at the head of each is an officer of the navy, chosen from the officials ranking above Captain. They hold office for four years, and draw the pay allotted for sea service. The various bureaus of the Department are Yards and Docks, Navigation, Ordnance, Provisions and Clothing, Medicine and Surgery, Construction and Repair, Equipment and Recruiting, Steam Engineering; and there is a Judge-Advocate General and Commandant of the Marine Corps. The duties of the most important of these various bureaus are as follows:

The Bureau of Yards and Docks. Vessels are built and repaired at navy yards, of which the Government has seven, viz., at Kittery, Me.; Charlestown, Mass.; Brooklyn, N. Y.; League Island, Pa.; Washington,

D. C.; Norfolk, Va., and Mare Island, Cal. Besides these, there are naval stations at Newport, R. I.; Key West, Fla.; Pensacola, Fla.; Port Royal, S. C.; Puget Sound, Wash.; New Orleans, La., and in our island possessions. This bureau has charge of the construction and maintenance of all docks, piers, buildings, etc., within the navy yards, and controls the general administration of the navy yards.

The Bureau of Equipment. This bureau supplies vessels with rigging, sails, anchors, navigation stores of all kinds, fuel, etc. It has supervision of the Hydrographic Office, the Nautical Almanac, and the Naval Observatory. The observatory was established in 1842 under the name of "Depot for Naval Charts and Instruments."

The Bureau of Navigation. This bureau promulgates and enforces the Secretary's orders to the fleets and officers of the navy; controls the Naval Academy and other naval schools; and has charge of the enlistment and discharge of sailors. It keeps a record of the services of all ships, officers, and men, and prepares and enforces all tactics, drill books, and signal codes.

The Bureau of Ordnance. To this bureau belongs the general charge of the manufacture and purchase of guns and ammunition of every kind, torpedoes, war explosives, etc. Under its direction experiments are made to test new species of ordnance and ammunition. It determines the armament and distribution of armor for war vessels.

The salary of the Secretary of the Navy was placed in 1798 at $3,000; the next year it was raised to $4,000; in 1819, to $6,000; in 1853, to $8,000; and in 1873, to $10,000. The next year it was reduced to $8,000, and in 1897 was raised to $12,000, at the time the salaries of Congressmen, Supreme Court Justices and Cabinet officers were increased. See SECRETARY OF THE NAVY.

Navy, ENLISTMENT IN THE. See ENLISTMENT IN ARMY AND NAVY.

Navy, OFFICERS OF THE. See OFFICERS OF THE NAVY.

Navy of the United States. The first steps toward the organization of a navy for the United States were taken nearly a year before the colonists declared themselves independent of British sovereignty. In the Continental Congress of 1775, a "Marine Committee" was appointed, and at the same time Congress authorized the building and equipment of two small armed vessels. This was the beginning of a navy which is now hardly inferior to that of any nation in the world, except Great

Britain, and in equipment and organization is the peer of England. A tabular statement of the fighting strength of the United States Navy compiled in any one year becomes out of date within a very short time, because our navy is building rapidly and figures therefore mean little. Since about 1880, the plans of construction of naval vessels have undergone a remarkable change, and warships which at that period were considered of the highest type are now obsolete and could render but very little service in stress of war. For comparative strength of the navies of the world, see NAVY; see, also, NAVY, DEPARTMENT OF THE.

Navy Yard. Under the Department of the Navy there exists seven National Navy Yards, at which war vessels and auxiliaries may be built or repaired, and at which naval stores are kept. These yards are at Kittery, Maine; Charlestown, Massachusetts; Brooklyn, New York; League Island, Pennsylvania; Washington, D. C.; Norfolk, Virginia, and Mare Island, California. The Navy Yard at Kittery is the same as that known as the Portsmouth Navy Yard, at which the Peace Conference was held in 1896, which resulted in a treaty which formally closed the war between Japan and Russia. See NAVY, DEPARTMENT OF THE.

Nay. See YEA AND NAY VOTE.

Nebraska. The present State of Nebraska was a part of the Louisiana Purchase of 1803; it was attached to that section which in 1804 was organized as the District of Louisiana, and after 1812 transferred to Missouri Territory. After the admission of Missouri in 1821, this region remained without any organization for over thirty years. In 1853 a bill to organize the Territory of Nebraska passed the House of Representatives, but was not acceptable to the Senate. In 1854, however, a bill was passed known as the Kansas-Nebraska Bill, organizing the two Territories of Kansas and Nebraska, with provisions regarding slavery which were directly at variance with the Missouri Compromise (See KANSAS-NEBRASKA BILL; MISSOURI COMPROMISE). Nebraska became the thirty-seventh State of the Union on March 1, 1867.

Government. The present Constitution is the second, and was adopted in 1875; to it have been added a number of amendments. Amendment is possible only by a vote of three-fifths of the members of each House of the Legislature, and subsequently by a majority vote of all the electors of the State. Male citizens of the United States may vote who have resided in the State for six months; in cities having 2,500 population or more registration of voters is required. The Legislature consists of a Senate of 33 members, and a House of Representatives of 100 members, all chosen for two years. Sessions are held biennially and are limited to 30 days; the pay of members is $5.00 per day during sessions, and mileage. The Executive officers are the Governor, Lieutenant-Governor, Secretary of State, Auditor, Treasurer, Attorney-General, Superintendent of Public Instruction and Commissioner of Survey of Lands, each chosen by vote for two years.

STATE SEAL OF NEBRASKA.

The Judicial authority is vested in a Supreme Court of three Justices, elected for terms of six years; in District courts, each having one Judge, elected for four years; in County courts, each having one Judge, elected every two years; there are also Justices of the Peace, and in larger cities police magistrates.

Nepotism. Nepotism is a word taken from the Latin *nepos*, meaning nephew. In government and business, nepotism is favoritism extended by officials having appointing power, who exercise this power by placing their relatives in remunerative positions. The practice is severely condemned for reasons of public policy, and officials are less inclined year by year to incur the criticism of the people by making such selections of their subordinates.

Neutrality. A person who is neutral is one who refrains from aiding or interfering in controversies between other people. Neutrality applied to a nation refers to that attitude by which

it considers itself bound in strict justice to favor neither of two nations engaged in war against each other. Not only must a neutral power preserve its neutrality inviolate, but it must use its best offices to keep other countries strictly neutral. The contending parties have a right under international law to this course of action on the part of all other nations. On the other hand, the contestants must respect the inviolability of all neutral territory. If any favors be granted one contestant by any nation, the same favor must be shown the other contestant; there must be no partiality in dealing with the contending forces. War vessels with their prizes may enter neutral European ports unless forbidden to do so, but the laws of the United States forbid such entrance. It is recognized throughout the world that a neutral flag protects both vessel and cargo, except articles which are contraband of war [q. v.], and that neutral goods, with the same exception, are protected even on a vessel of one of the belligerant nations. No neutral vessel can object to being stopped on the high seas and submitted to reasonable search and examination, in the effort to discover whether or not it is carrying materials in violation of its neutrality. If two warships of opposing nations meet in neutral ports, it must be on a basis of outward friendliness; they must preserve the peace while in the waters of a friendly nation, and hostilities must not be resumed until each reaches a point three miles from the coast line. See High Seas.

Nevada. Franciscan friars were the first Europeans to visit what is now Nevada. The first exploring party of importance was led by John C. Fremont, in 1843, and the first settlement was a trading post founded by the Mormons in 1849. In 1848 this territory came into our control by terms of the treaty closing the Mexican War. In 1850 the region between the parallel of 37 degrees and 45 degrees north latitude was organized as Utah Territory. The western part of this territory was poorly cared for by the Territorial Government, and as a remedy asked for annexation to California. This was not granted. In 1861 separation from Utah was secured; in 1864 the Territory framed a Constitution and Con-

gress admitted it as the thirty-sixth State of the Union, in October of that year. The industry of silver mining attracted a large population to the State, but with the decrease in production of silver the State has lost steadily in population, until now its numerical strength is not sufficient to entitle it to one Representative in Congress; however, having received Statehood, there is no power which can reduce it to the status of a Territory.

Government. The present Constitution is the one adopted previous to admission as a State, but it has received various amendments. Amendment is possible by the vote of the majority of the members of each House of two successive Legislatures, with subsequent ratification by majority vote of the people. Male citizens may vote provided they have resided in the State six months and in the county thirty days. The Legislature is composed of a Senate of 17 members elected for four years, and a House of Representatives of 39 members, elected for two years. The Constitution provides that the Legislature may never have more than 75 members. The Senate must never be less than one-third nor more than one-half the number of Representatives. Sessions of the Legislature occur every two years, and are limited to sixty days. Members receive $8.00 per day while in attendance, and a sum not to exceed $60 for perquisites and mileage. The State officers are the Governor, Lieutenant-Governor, Secretary of State, Treasurer, Comptroller, Surveyor-General, Attorney-General and Superintendent of Public Instruction, all chosen by vote for terms of four years. The Judicial department is composed of a Supreme Court of three members, elected for four years; District Courts, each presided over by one Judge, elected for four years; there are also in each county Justices of the Peace. The Legislature is empowered to establish municipal courts in cities.

STATE SEAL OF NEVADA.

New England Confederation. In 1620 the Pilgrim Fathers landed at Plymouth, prepared to enter upon self-government, the basis of which was the Compact of the Pilgrims [q. v.]. Twenty-three years after, in 1643, these Puritans with their descendants and such new settlers as were allied with them in religious thought and political action framed and adopted the Articles of Confederation of the United Colonies of New England. The colonies that entered into this confederation were Massachusetts, New Plymouth, New Haven and Connecticut. Maine and Rhode Island were not permitted to join them, owing to differences in religious belief, Maine having adopted the creed of the Episcopal Church, and Rhode Island having opened its territory as an asylum for all persons of any or no religion. The Confederation was very beneficial to the colonists until about 1665. Thereafter for another twenty years its influence waned, and it finally passed out of existence in 1684. The causes, purposes, powers and duties of the Confederation are clearly stated in the Articles. They are worth the serious consideration of any student of government today, and are printed below:

1643—Articles of Confederation—1643.

Between the plantations vnder the Gouernment of the Massachusetts, the Plantacons under the Gouernment of New Plymouth, the Plantacons vnder the Gouernment of Connectacutt and the Gouernment of New Haven with the Plantacons in combinacon therewith.

Whereas wee all came into these parts of America with one and the same end and ayme, namely, to advance the kingdome of our Lord Jesus Christ, and to enjoy the liberties of the Gospell in puritie with peace. And whereas in our settleinge (by a wise Providence of God) we are further dispersed vpon the Sea Coasts and Riuers then was at first intended, so that we cannot according to our desire, with convenience communicate in one Gouernment and Jurisdiccon. And whereas we live encompassed with people of seuerall Nations and strang languages which hereafter may proue injurious to vs or our posteritie. And forasmuch as the Natives have formerly committed sondry insolences and outrages vpon seueral Plantacons of the English and have of late combined themselues against vs. And seeing by reason of those sad Distraccons in England, which they have heard of, and by which they know we are hindred from that humble way of seekinge advise or reapeing those comfortable fruits of protection which at other tymes we might well expecte. Wee therefore doe conceiue

it our bounden Dutye without delay to enter into a present consotiation amongst our seules for mutual help and strength in all our future concernements: That as in Nation and Religion, so in other Respects we bee and continue one according to the tenor and true meaninge of the ensuing Articles: Wherefore it is fully agreed and concluded by and betweene the parties or Jurisdiccons aboue named, and they joyntly and seuerally doe by these presents agreed and concluded that they all bee, and henceforth bee called by the Name of the United Colonies of New-England.

II. The said United Colonies, for themseules and their posterities, do joyntly and seuerally, hereby enter into a firme and perpetuall league of friendship and amytie, for offence and defence, mutuall advise and succour, vpon all just occations, both for preserueing and propagateing the truth and liberties of the Gospel, and for their owne mutuall safety and wellfare.

III. It is further agreed That the Plantacons which at present are or hereafter shalbe settled within the limmetts of the Massachusetts, shalbe forever vnder the Massachusetts, and shall have peculiar Jurisdiccon among themseules in all cases as an entire Body, and that Plymouth, Connecktacutt, and New Haven shall eich of them haue like peculiar Jurisdiccon and Gouernment within their limmetts and in referrence to the Plantacons which already are settled or shall hereafter be erected or shall settle within their limmetts respectiuely; prouided that no other Jurisdiccon shall hereafter be taken in as a distinct head or member of this Confederacon, nor shall any other Plantacon or Jurisdiccon in present being and not already in combynacon or vnder the Jurisdiccon of any of these Confederats be received by any of them, nor shall any two of the Confederats joyne in one Jurisdiccon without consent of the rest, which consent to be interpreted as is expressed in the sixth Article ensuinge.

IV. It is by these Confederats agreed that the charge of all just warrs, whether offensiue or defensiue, upon what part or member of this Confederaccon soever they fall, shall both in men and provisions, and all other Disbursements, be borne by all the parts of this Confederacon, in different proporcons according to their different abilitie, in manner following, namely, that the Commissioners of eich Jurisdiccon from tyme to tyme, as there shalbe occation, bring a true account and number of all the males in every Plantacon, or any way belonging to, or under their seuerall Jurisdiccons, of what quality or condicion soeuer they bee, from sixteene yeares old to threescore, being Inhabitants there. And That according to the different numbers which from tyme to tyme shalbe found in eich Jurisdiccon, upon a true and just account, the service of men and all charges of the warr be borne by the Poll; Eich Jurisdiccon, or Plantacon, being left to their owne just course and custome of rating themselues and people according to their different estates, with due respects to their qualities and exemptions among themseules, though the Confederacon

take no notice of any such priviledg: And that according to their different charge of eich Jurisdiccon and Plantacon, the whole advantage of the warr, (if it please God to bless their Endeavours) whether it be in lands, goods or persons, shall be proportionably deuided among the said Confederats.

V. It is further agreed That if any of these Jurisdiccons, or any Plantacons vnder it, or in any combynacon with them be envaded by any enemie whomsoeuer, vpon notice and request of any three majestrats of that Jurisdiccon so invaded, the rest of the Confederates, without any further meeting or expostulacon, shall forthwith send ayde to the Confederate in danger, but in different proporcons; namely, the Massachusetts an hundred men sufficiently armed and provided for such a service and jorney, and eich of the rest fourty-fiue so armed and provided, or any lesse number, if lesse be required, according to this proporcon. But if such Confederate in danger may be supplyed by their next Confederate, not exceeding the number hereby agreed, they may craue help there, and seeke no further for the present. The charge to be borne as in this Article is exprest: And, at the returne, to be victualled and supplyed with poder and shott for their journey (if there be neede) by that Jurisdiccon which employed or sent for them: But none of the Jurisdiccons to exceed these numbers till by a meeting of the Commissioners for this Confederacon a greater ayd appeare necessary. And this proporcon to continue, till upon knowledge of greater numbers in eich Jurisdiction which shalbe brought to the next meeting some other proporcon be ordered. But in any such case of sending men for present ayd whether before or after such order or alteracon, it is agreed that at the meeting of the Commissioners for this Confederacon, the cause of such warr or invasion be duly considered: And if it appeare that the fault lay in the parties so invaded, that then that Jurisdiccon or Plantacon make just Satisfaccon, both to the Invaders whom they have injured, and beare all the charges of the warr themselves without requireing any allowance from the rest of the Confederats towards the same. And further, that if any Jurisdiccon see any danger of any Invasion approaching, and there be tyme for a meeting, that in such case three majestrats of that Jurisdiccon may summon a meeting at such convenyent place as themselues shall think meete, to consider and provide against the threatned danger, Provided when they are met they may remoue to what place they please, Onely whilst any of these foure Confederats have but three majestrats in their Jurisdiccon, their request or summons from any two of them shalbe accounted of equall force with the three mentioned in both the clauses of this Article, till there be an increase of majestrats there.

VI. It is also agreed that for the managing and concluding of all affairs proper and concerneing the whole Confederacon, two Commissioners shalbe chosen by and out of eich of these foure Jurisdiccons, namely,

two for the Massachusetts, two for Plymouth, two for Connectacutt, and two for New Haven; being all in Church fellowship with us, which shall bring full power from their seuerall generall Courts respectively to heare, examine, weigh and determine all affaires of our warr or peace, leagues, ayds, charges and numbers of men for warr, divission of spoyles and whatsoever is gotten by conquest, receiueing of more Confederats for plantacons into combinacon with any of the Confederates and all thinges of like nature which are the proper concomitants or consequence of such a confederacon, for amytie, offence and defence, not intermeddleing with the gouernment of any of the Jurisdiccons which by the third Article is preserued entirely to themselves. But if these eight Commissioners, when they meete, shall not all agree, yet it is concluded that any six of the eight agreeing shall have power to settle and determine the business in question: But if six do not agree, that then such proposicons with their reasons, so farr as they have beene debated, be sent and referred to the foure generall Courts, vist., the Massachusetts, Plymouth, Cannectacutt and New Haven: And if at all the said Generall Courts the businesse so referred be concluded, then to bee prosecuted by the Confederates and all their members. It is further agreed that these eight Commissioners shall meete once every yeare, besides extraordinary meetings (according to the fift Article) to consider, treate and conclude of all affaires belonging to this Confederacon, which meeting shall ever be the first Thursday in September. And that the next meeting after the date of these presents, which shalbe accounted the second meeting, shalbe at Bostone in the Massachusetts, the third at Hartford, the fourth at New Haven, the fift at Plymouth, the sixt and seaventh at Bostone. And then Hartford, New Haven and Plymouth, and so in course successiuely, if in the meane tyme some middle place be not found out and agreed on which may be commodious for all the jurisdiccons.

VII. It is further agreed that at eich meeting of these eight Commissioners, whether ordinary or extraordinary, they, or six of them agreeing, as before, may choose their President out of themseules, whose office and work shalbe to take care and direct for order and a comely carrying on of all proceedings in the present meeting. But he shalbe invested with no such power or respect as by which he shall hinder the propounding or progresse of any businesse, or any way cast the Scales, otherwise then in the precedent Article is agreed.

VIII. It is also agreed that the Commissioners for this Confederacon hereafter at their meetings, whether ordinary or extraordinary, as they may have commission or opertunitie, do endeavoure to frame and establish agreements and orders in generall cases of a civill nature where in all the plantacons are interested for preserving peace among themselues, and preventing as much as may bee all occations of warr or difference with others, as about the free and speedy passage of Justice in every Jurisdiccon,

to all the Confederats equally as their owne, receiving those that remoue from one plantacon to another without due certefycates; how all the Jurisdiccons may carry it towards the Indians, that they neither grow insolent nor be injured without due satisfaccion, lest warr breăk in vpon the Confederates through such miscarryage. It is also agreed that if any servant runn away from his master into any other of these confederated Jurisdiccons, That in such Case, vpon the Certyficate of one Majistrate in the Jurisdiccon out of which the said servant fled, or upon other due proofe, the said servant shalbe deliuered either to his Master or any other that pursues and brings such Certificate or proofe. And that vpon the escape of any prisoner whatsoever or fugitiue for any criminal cause, whether breaking prison or getting from the officer or otherwise escaping, upon the certificate of two Majistrats of the Jurisdiccon out of which the escape is made that he was a prisoner or such an offender at the tyme of the escape. The Majistrates or some of them of that Jurisdiccon where for the present the said prisoner or fugitive abideth shall forthwith graunt such a warrant as the case will beare for the apprehending of any such person and the delivery of him into the hands of the officer or other person that pursues him. And if there be help required for the safe returneing of any such offender, then it shalbe graunted to him that craves the same, he paying the charges thereof.

IX. And for that the justest warrs may be of dangerous consequence, espetially to the smaler plantacons in these vnited Colonies, It is agreed that neither the Massachusetts, Plymouth, Connectacutt nor New Haven, nor any of the members of any of them shall at any tyme hereafter begin, undertake, or engage themselues or this Confederacon, or any part thereof in any warr whatsoever (sudden exegents with the necessary consequents thereof excepted, which are also to be moderated as much as the case will permit) with out the consent and agreement of the forenamed eight Commissioners, or at least six of them, as in the sixt Article is provided: And that no charge be required of any of the Confederats in case of a defensiue warr till the said Commissioners haue mett and approued the justice of the warr, and have agreed vpon the sum of money to be levyed which sum is then to be payd by the severall Confederates in proporcon according to the fourth Article.

X. That in extraordinary occations when meetings are summoned by three Majistrats of any Jurisdiccon, or two as in the fift Article, If any of the Commissioners come not, due warneing being given or sent, It is agreed that foure of the Commissioners shall have power to direct a warr which cannot be delayed and to send for due proporcons of men out of eich Jurisdiccon, as well as six might doe if all mett; but not less than six shall determine the justice of the warr or allow the demanude of bills of charges or cause any levies to be made for the same.

XI. It is further agreed that if any of the Confederates shall hereafter break any of these present Articles, or be any other wayes injurious to any one of thother Jurisdiccons, such breach of Agreement, or injurie shalbe duly considered and ordered by the Commissioners for thother Jurisdiccons, that both peace and this present Confederation may be entirely preserued without violation.

XII. Lastly, this perpetuall Confederacon and the several Articles and Agreements thereof being read and seriously considered, both by the Generall Court for the Massachusetts, and by the Commissioners for Plymouth, Connectacutt and New Haven, were fully allowed and confirmed by three of the forenamed Confederates, namely, the Massachusetts, Connectacutt, and New Haven, Onely the Commissioners for Plymouth, having no Commission to conclude, desired respite till they might advise with their General Court, wherevpon it was agreed and concluded by the said Court of the Massuchusetts, and the Commissioners for the other two Confederates, That if Plymouth Consent, then the whole treaty as it stands in these present articles is and shall continue firme and stable without alteracon: But if Plymouth come not in, yet the other three Confederates doe by these presents confirme the whole Confederacon and all the Articles thereof, onely, in September next, when the second meeting of the Commissioners is to be at Bostone, new consideracon may be taken of the sixt Article, which concernes number of Commissioners for meeting and concluding the affaires of this Confederacon to the satisfaccon of the court of the Massachusetts, and the Commissioners for thother two Confederates, but the rest to stand vnquestioned.

In testymony whereof, the Generall Court of Massachusetts by their Secretary, and the Commissioners for Connectacutt and New Haven haue subscribed these presente articles this xixth of the third month, commonly called May, Anno Domini, 1643.

At a Meeting of the Commissioners for the Confederacon, held at Boston the Seaventh of September. It appeareing that the Generall Court of New Plymouth, and the severall Towneships thereof have read, considered and approoued these articles of Confederacon, as appeareth by Commission for their Generall Court beareing Date of xxixth of August, 1643, to Mr. Edward Winslowe and Mr. Will Collyer, to ratifye and confirme the same on their behalf, wee therefore, the Commissioners of the Massachusetts, Connecktacutt and New Haven, doe also for our seuerall Gouernments, subscribe vnto them.

JOHN WINTHROP,
Governor of Massachusetts.

THO. DUDLEY,
GEO. FENWICK,
THOS. GREGSON,

THEOPH EATON,
EDWA HOPKINS.

New Hampshire. The present State was included in the tract named in the First Charter of Virginia, in 1606, and it was also a part of the grant to the Plymouth Company in 1620. The first settlement was made in 1622, and others followed rapidly. These were all practically independent and under separate government. In 1680 a Colonial Government was organized. Early in 1775 it declared for independence, and it was the first of the colonies to adopt a Constitution. In 1788 the State ratified the new Constitution of the United States.

Government. This State has had but one Constitution, adopted in 1792, but it has received numerous amendments. The revision of the Constitution rests with the people, to whom the question is submitted every seven years; if by majority vote the people favor revision, a convention is called for that purpose. The Legislative power is vested in a Senate of 24 members, chosen from as many districts, and from 390 to 400 Representatives, each town or city having 600 inhabitants being entitled to a member. Members of both Houses are chosen every two years, in town meetings. Sessions of the Legislature are held biennially, and members receive $200 per year. The Executive department is headed by the Governor and Council of five members, all elected every two years. The other State officers are chosen by joint ballot of both Houses of the Legislature. The Judicial department is composed of a Supreme Court, and Superior, County, Probate and Police courts. The Supreme Court has five Judges, appointed by the Governor and Council.

STATE SEAL OF NEW HAMPSHIRE.

New Jersey. The earliest settlements here were made by the Swedes and the Dutch about 1625; the right of the Dutch to control was established by the expedition of Peter Stuyvesant, Governor of New Netherlands, in 1655. The King of England in 1664 gave this region to the Duke of York, who took possession of it the next year. His authority was dis-

puted by the Dutch until 1674, when by treaty it passed into the hands of the English. In 1776 New Jersey declared the King's authority at an end and adopted a State Constitution. In 1787 it ratified the Federal Constitution, being the third among the colonies to do so.

Government. The present Constitution was adopted in 1844, and has been amended twice. This document may receive amendments by the majority of the members elected to each of the two Houses of two successive Legislatures, followed by ratification by majority vote at a State election. Amendments may not be offered more frequently than once in five years. The Legislative Department consists of a Senate of 21 members, elected for three years, one-third being chosen each year, and a General Assembly of 60 members, elected for one year. Sessions are held annually, and members receive $500 per year. The Governor is elected by the people for three years, and is not eligible to re-election. The Secretary of State and Attorney-General are appointed by the Governor and Senate for terms of five years. The Treasurer and Controller are chosen by the Senate and General Assembly in joint session, for terms of three years. The Judicial Department is composed of a Supreme Court of nine members, a court of Errors and Appeals composed of seven members; a court of Chancery and Orphans' court; Circuit and County courts and Justices of the Peace.

STATE SEAL OF NEW JERSEY.

New Mexico. What is now New Mexico was originally a part of a vast territory whose original owner was Spain, who held it by virtue of the explorations of Narvaez in 1528. Twelve years later the same section was explored by Coronado. By 1630 the Spaniards had established more than fifty missions in what is now New Mexico and Arizona. It is not known when Santa Fe, the capital, was settled; the date is variously placed from 1598 to 1616. Spain retained possession until 1821, when

New Mexico secured its independence, and came under the ownership of what is now the Republic of Mexico. At the close of our war with Mexico, all the Mexican possessions north of the Rio Grande river became the property of the United States, with the exception of a parcel afterward included in the Gadsden Purchase. A Territorial form of government was granted by Congress in 1863, at which time the Territory of Arizona was formed from the western half of New Mexico. Recently efforts have been made to secure admission to the Union, but each has been unsuccessful.

Government. The act of Congress under which the Territory was organized provided for a Legislature consisting of a Council of 12 members, and a House of Representatives of 24 members, all elected for two years. Sessions are held biennially and are limited to 60 days, and the Legislative acts before becoming effective must be submitted to Congress for approval. The Governor receives his appointment from the President of the United States for a term of four years. The Senate must concur. The Secretary of the Territory, the Treasurer, Auditor, Adjutant-General and Attorney-General receive appointment in the same manner, as do the six Justices of the Supreme Court, which is the head of the Judicial Department. In the Judiciary system there are six District courts, each being presided over by one Supreme Judge; and there are County and Probate courts and Justices of the Peace.

New York. What is now New York was justly claimed by the English because of the explorations of John and Sebastian Cabot, just previous to the year 1500. However, the Dutch established claim of ownership through the explorations of Henry Hudson, an Englishman in their service. He discovered and named Hudson River, in 1609, and this led to the establishment of trading posts on Manhattan Island. The English, during this period, did not relinquish their claims, and in 1664 Charles II of England gave New Netherlands to his brother, the Duke of York, and the Dutch surrendered in the face of overpowering force. In 1683 the first Colonial Assembly was called; it was revived in 1689 and was a factor in the

English rule of the colony until the Revolutionary War. The beginning of the State Government dates from 1776, when a convention met to discuss the stirring events of the year. The first State Constitution was adopted in 1777, and remained in force nearly fifty years.

Government. The second Constitution was adopted in 1822 and amended in 1826; the third Constitution was adopted in 1846, and the fourth in 1894. It may be amended by the majority of each of two successive Legislatures, if ratified by the majority of the votes cast at a State election. After 1916 the question of amendment of the Constitution must be submitted to the voters of the State every twenty years. All male citizens of the United States may vote provided they have been in the State one year, in the county four months and in the election district thirty days. Every voter must register. The Legislature consists of a Senate of 50 members, chosen for two years, and an Assembly, or House of Representatives, of 150 members, elected annually. Regular sessions are held annually and are not limited in length. Members receive $1,500 per year. The officers of the State are the Governor, Lieutenant-Governor, Secretary of State, Controller, State Engineer and Surveyor. The Governor appoints members of administrative boards. The Judicial authority is vested in a Court of Appeals of 7 justices, each elected for fourteen years; in a Supreme Court of 76 justices, elected for fourteen years, each Justice having jurisdiction in all parts of the State; in four appellate divisions of the Supreme Court and in County and City courts and Justices of the Peace. There is, also, a Court of Claims presided over by three Justices, appointed by the Governor.

STATE SEAL OF NEW YORK.

Nicknames of Noted Men. A great variety of causes leads to the application of strange nicknames to noted people. Some are bestowed in admiration; others in opprobrium. A few of the nicknames of prominent Americans are the following:

Washington.	The Father of his Country.
J. Q. Adams.	Old Man Eloquent.
Jefferson.	The Sage of Monticello.
Jackson.	Old Hickory.
Polk.	Young Hickory.
Clay.	Great Pacifier.
Taylor.	Old Rough and Ready.
Webster.	Expounder of the Constitution
U. S. Grant.	Unconditional Surrender Grant.
Franklin.	Poor Richard.
Randolph.	Political Meteor.
T. J. Jackson	Stonewall.
Lincoln.	Honest Abe; Father Abraham.
Van Buren.	The Little Magician.
Jas. Madison.	Father of the Constitution.
J Buchanan	Old Public Functionary.
Garfield.	Martyr President.
S. P. Chase.	Father of Greenbacks.
S. A. Douglas	Little Giant.
W. Irving.	Prince of American Letters
Clay.	Mill Boy of the Slashes.
J. G. Blaine.	Plumed Knight.
Cleveland.	Man of Destiny.
B. Harrison.	Son of his Grandfather.
T. Roosevelt.	Teddy.

Nicknames of the States. Many peculiar names, without meaning to the average reader, perhaps, are applied to the various States. Sometimes two or three names are given one State; all are the outgrowth of local conditions. The list is appended:

State.	Nickname.
Alabama.	Cotton State.
Arizona.	
Arkansas.	Bear State.
California.	Golden State.
Colorado.	Centennial State.
Delaware.	Blue Hen State.
Florida.	Peninsula State.
Georgia.	Cracker State.
Idaho.	
Illinois.	Sucker State.
Indiana.	Hoosier State.
Iowa.	Hawkeye State.
Kansas.	Sunflower State.
Kentucky.	Blue Grass State.
Louisiana.	Pelican State.
Maine.	Pine Tree State.
Maryland.	Old Line State.
Massachusetts.	Bay State.
Michigan.	Wolverine State.
Minnesota.	Gopher State.
Mississippi	Bayou State.
Montana.	Stub Toe State.
Missouri	
Nebraska.	
Nevada.	Silver State.
New Hampshire.	Granite State.
New Jersey.	Jersey Blue State.
New York.	Empire State.
North Carolina.	Old North State.
North Dakota.	Flickertail State.
Ohio.	Buckeye State.
Oklahoma.	
Oregon.	Beaver State.
Pennsylvania.	Keystone State.
Rhode Island.	Little Rhody.
South Carolina.	Palmetto State.
South Dakota.	
Tennessee.	Big Bend State.
Texas.	Lone Star State.
Utah.	
Vermont.	Green Mountain State.
Virginia	The Old Dominion.
Washington.	Chinook State.
West Virginia.	The Panhandle.
Wisconsin.	Badger State.

Nominating Convention. In a republican form of government an essential to the stability of its institutions is that all government operations begin with the people, even to the remotest sections of the country. Rule is exercised in every department of the Government through officers elected by the people or appointed by those who have secured their power from the people. Every citizen of the United States of the age of twenty-one years or over is privileged, with his fellows, to inaugurate any political movement. To carry to success any such movement requires the election of officers in sympathy with it. Therefore, nominating conventions, at which candidates for office are selected, become of great importance to

every citizen. If a reform is sought in the State Government, plans for carrying it to success must originate with county and township voters. The electors of the township will meet in township caucus or convention and choose delegates to a county convention who are in sympathy with the proposed movement; when the county convention meets, if the advocates of this movement are sufficiently strong, they may select as delegates to the State convention only those who will further the interests of this propaganda. Similar action being taken in all the counties of the State, when the delegates reach the State convention the movement has assumed proportions which may carry its policies to successful issue. If every citizen who favors good government would habitually attend his local primaries, his township conventions and his county conventions, and work for the interests which he deems important to the welfare of his country, no influence of evil could long enjoy ascendancy. See NATIONAL CONVENTION.

Nominee. See CANDIDATE.

Nonfeasance is neglect or failure to perform some act which one is bound as a matter of official or legal duty to perform.

Non=Importation Acts, agreements among the colonies of England in America, declaring against the importation of British merchandise, in retaliation against the policy of taxation employed by Great Britain in dealing with its American subjects. During the Stamp Act excitement, in 1765, the element opposed to the Crown in a number of the colonies voted to refrain from purchasing British goods; by the close of 1769 all the thirteen colonies, owing to continued ill-treatment from official England, had pledged themselves to carry out the policy of non-importation. Fidelity to this agreement was considered a test of patriotism. Parliament finally withdrew the tax on all merchandise except tea, retaining it on one article to justify its right to impose a tax. Many people desired to accept the mild condition thus imposed; but the Continental Congress, in 1774, resolved "that from and after the first day of December next, there be no importation into British America, from Great Britain or Ireland, of any goods, wares or merchandise whatever,

or from any other place of any such goods, wares or merchandises as shall have been exported from Great Britain or Ireland, and that no such goods, wares or merchandises imported after the first day of December next be used or purchased." This act stood with but slight modification until 1806, but in that year was suspended, the Embargo Act being passed to meet altered conditions.

Non=Intercourse Act. An act of a Legislative body which prohibits commercial intercourse with any particular nation or nations in time of war, or when public safety is thought to be endangered, is called a Non-Intercourse Act. When in force no vessels can leave port bound for any nation under the ban of the act, nor can there legally be any communication between the countries affected. When the prohibition is directed against all foreign countries, without exception, it is called an Embargo Act. See EMBARGO.

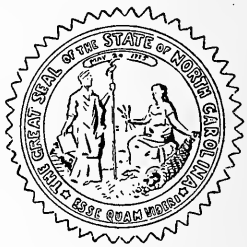
Non=Interference. The United States has always held that as a sovereign power, far separated geographically from other sovereign States, we have neither occasion nor right to become entangled with the affairs of other nations of the world; and since 1823 we have assumed that because of this policy of non-interference foreign States owe it to us to abstain from attempts to dictate the policy of any American country, in either continent. See MONROE DOCTRINE.

There was a doctrine of non-interference in certain of our domestic relations, due to the slavery question, prior to the Civil War. Its supporters advanced the plea that Congress had no right to interfere with slavery in any State or Territory, but that the slave traffic was a local issue, to be determined in each Commonwealth by vote of the majority of its own people.

North Carolina. The first attempts to effect a settlement in this State were made by Sir Walter Raleigh, in 1584–1585. Both were unsuccessful. The third attempt, two years later, bid fair to succeed, but in four years had entirely disappeared. The first permanent settlements were made in 1664 and 1680, the latter on the present site of Charleston. In 1669 John Locke drew up a plan of government for North and South Carolina,

which has been known to this day as the "Grand Model" [q. v.]; it was a failure as an instrument of government. The first Revolutionary body to meet in North Carolina was the first Provincial Congress, in 1774. This body elected delegates to the Continental Congress. The next year an Assembly at Charlotte passed resolutions annulling the recent Government in the colony [see MECKLENBURG DECLARATION]. North Carolina ratified the United States Constitution in November, 1789. It joined the Confederacy, but returned to the Union in 1869, in which year a new Constitution was adopted.

Government. The State is now governed under the Constitution of 1868, as amended in 1900. This amendment contains what is known as the "Grandfather Clause," whose object is to limit negro suffrage. The Constitution may be amended by vote of two-thirds of each House of the Legislature and by ratification by the people at a subsequent election. Male citizens of the United States may vote, providing they have been in the county six months and in the election precinct four months. Registration is required of all voters. In order to register, the voter must have paid his poll tax and unless he was privileged to vote prior to 1867, or is a descendant of a person who was a legal voter at that date, he must be able to read and write any section of the Constitution. The above is the amendment of 1900. The Legislature is called the General Assembly, and consists of 50 Senators and 120 Representatives, chosen for two years. Regular sessions are held biennially, are limited to sixty days, and members receive $4.00 per day, if in attendance. The State officers are the Governor, Lieutenant-Governor, Treasurer, Attorney-General and Superintendent of Public Instruction, all elected for four years The Judicial power is vested in a Supreme Court of five Justices, elected for terms of ten years; and the Superior Court, which must hold sessions at least twice every year in each



STATE SEAL OF NORTH CAROLINA.

county of the State. Every township may have two Justices of the Peace.

North Dakota. French Canadians first explored this section, about 1780, but the first investigations which were of value were made by Lewis and Clark during the six months following October, 1804. All of this region was included in the Louisiana Purchase of 1803. From that date to 1812 it was a part of the Louisiana Territory, after which it was a part of Missouri Territory until 1849, when that part of North Dakota which is east of the Missouri River was made a part of Minnesota Territory, and the portion west of that river was added to Nebraska Territory. This was the political status of North Dakota until March, 1861, when Congress organized Dakota Territory, including what is now North and South Dakota, and a large part of the present States of Montana and Wyoming. Changes were made from time to time in the boundary lines, and on November 2nd, 1889, North Dakota, with its present territorial limits, was admitted to the Union as the thirty-ninth State.

STATE SEAL OF NORTH DAKOTA.

Government. This State has had but one Constitution, which was adopted in 1889, as a preliminary to admission to the Union. It may be amended by a majority of each House of the Legislature, with ratification by a majority vote of the people of the State at a subsequent election. Male citizens of the United States who have been in the State one year, in the county six months and in the voting precinct ninety days, have the right of suffrage. Aliens who have taken out their first set of naturalization papers are also privileged to vote. The law-making body is called the Legislative Assembly; it consists of a Senate of 40 members, chosen for four years, and a House of Representatives of 100 members, chosen for two years. Sessions are held every two years, are limited to sixty days, and members receive $5.00 per day for actual attendance,

and mileage. The State officers are the Governor, Lieutenant-Governor, Secretary of State, Auditor, Treasurer, Superintendent of Public Instruction, Commissioner of Insurance, Attorney-General, Commissioner of Agriculture and Labor, and three Railroad Commissioners, all elected for two years. At the head of the Judicial Department is the Supreme Court, of three Judges, elected for six years; below this are the District courts, whose Judges are chosen for four years, and in every county a County court presided over by a Judge chosen for two years. Every township has Justices of the Peace.

Northwest Territory. This was the name given to that great region lying west of Pennsylvania and north of the Ohio River, extending as far as Canada, and west to the Mississippi River, organized as a Territory of the United States in 1787. Each of the colonies of New York, Virginia, Connecticut and Massachusetts claimed a part of the territory, although Virginia's claim extravagantly included three-fourths of it. Its cession to the general Government was brought about by Maryland refusing to sign the Articles of Confederation unless all of the colonies which had then become States would cede their rights to the Government. The formal cession was made by all of these States between the years 1782 and 1786. In 1784 a temporary form of government was drawn up for this Territory. It provided that out of the Territory there should ultimately be created seventeen States. There were certain provisions of Jefferson's draft of this Ordinance of 1784 which were objected to by some of the strong States, and the ordinance was succeeded later by the Ordinance of 1787, which was one of the most important acts performed by the Congress under the Articles of Confederation. The Northwest Territory was governed as such from 1788 to 1802, and from it were created the States of Ohio, Indiana, Illinois, Michigan and Wisconsin. See ORDINANCE OF 1784; ORDINANCE OF 1787.

Notary Public, a minor officer, appointed by the Governor of a State for a term of four years, upon petition of from fifty to one hundred legal voters. The duties of notaries public vary in the different States, in each of which their powers are pre-

scribed by the statutes. They may protest negotiable instruments, take acknowledgments of deeds and attest affidavits. Witnesses may be sworn by a notary and their testimony taken by him for later use in civil or criminal action in court. This is known as taking a witness's deposition. In some States a notary's commission limits his practice to the county of his residence; in others, he may serve in any part of the State. He receives fees for his services.

Nullification is the act of making any declaration, rule or order null and void. Specifically, in United States government, it is the refusal of a State to obey an act of Congress, or at least the doctrine that such refusal is a constitutional right. The doctrine of nullification was prominently advanced in 1832, upon the refusal of South Carolina to allow certain revenue laws of the United States to be executed within its borders. The State objected to the collection of duties in Charleston, and promulgated the doctrine that any State had a right to nullify such of the laws of the United States as might not be acceptable to her. The tariff laws of 1824 and 1828 were protective. A law of 1832 slightly modified the protective features, but this was not satisfactory to South Carolina. A State convention was called to meet in November, and it passed an ordinance of nullification. This ordinance declared the tariff acts invalid and forbade the payment of duty under them after February 1, 1833. It declared an appeal to the Supreme Court of the United States regarding the validity of the ordinance to be an act in contempt of State courts. It caused every juror and every State officer to swear to support the ordinance, and as a crowning statement, declared that if force were used against the State, she would consider herself no longer a member of the Union. The President acted with characteristic courage and energy. He issued a proclamation pointing out that nullification was inconsistent with the Federal Constitution, and that it was treason to defend disunion by armed force. Troops were ordered to Charleston, and in January, 1833, the nullifiers were so alarmed that they determined not to attempt to put into effect the features of the ordinance.

O

Oath, a solemn declaration before a competent tribunal, by word of mouth, in support of a declaration, made or about to be made, and concluding with an appeal to God for the truth of what is asserted. Such a statement is calculated to make a solemn impression upon the mind of any person. Puffendorf's definition, as given in his *Moral Philosophy,* emphasizes the solemnity of the oath; he calls it "a religious asseveration by which we renounce the mercy or imprecate the vengeance of Heaven, if we speak not the truth." For the violation of an oath heavy penalties are attached.

Oaths were taken by laying hands on the Bible as early as the year 528 A. D., and the words, "So help me God and all saints," concluded the oath until 1550, when the last three words were dropped. Until 1696 the affirmation [q. v.] was not allowed, but in that year was provided, upon request of the Quakers.

Oath of Office, an oath taken by a person on assuming an office, containing a promise of fidelity to its duties. The form varies little for all offices, being generally patterned after the oath of the President of the United States. The oath taken by an inferior or local officer includes a promise to preserve, protect and defend the Constitution of the United States as well as of the State in which he lives. See CONSTITUTION OF THE UNITED STATES (Art. II, Sec. 1, Cl. 8).

Oath of Allegiance, a declaration by which a person promises individual allegiance to a particular country or sovereign, renouncing all connection with a former country or obedience to a former ruler. See NATURALIZATION.

Iron-Clad Oath, the declaration prescribed by Congress during the Civil War to be taken by persons in the Confederate States, who were appointed to office under the National Government. Its form was as follows:

"I,————, do solemnly swear (or affirm) that I have never voluntarily borne arms against the United States since I have been a citizen thereof; that

I have voluntarily given no aid, countenance, counsel, or encouragement to persons engaged in armed hostility thereto; that I have neither sought, nor accepted, nor attempted to exercise the functions of any office whatever, under any authority or pretended authority in hostility to the United States; that I have not yielded a voluntary support to any pretended government, authority, power, or constitution within the United States, hostile or inimical thereto. And I do further swear (or affirm) that, to the best of my knowledge and ability, I will support and defend the Constitution of the United States against all enemies, foreign and domestic; that I will bear true faith and allegiance to the same; that I take this obligation freely, without any mental reservation or purpose of evasion, and that I will well and faithfully discharge the duties of the office on which I am about to enter, so help me God."

Philippines Oath. In 1901, during the pacification of the Philippine archipelago, the United States military authorities prepared the following declaration of allegiance for those natives who accepted American authority:

"I,————, hereby renounce all allegiance to any and all so-called revolutionary governments in the Philippine Islands, and recognize and accept the supreme authority of the United States of America therein; I do solemnly swear that I will bear true faith and allegiance to that government; that I will at all times conduct myself as a faithful and law-abiding citizen of the said islands, and will not, either directly or indirectly, hold correspondence with or give intelligence to an enemy of the United States, nor will I abet, harbor, or protect such enemy; that I impose upon myself these voluntary obligations without any mental reservations or purpose of evasion, so help me God."

Offensive Partisanship. Under civil service laws, Government employes in minor positions are exempt from removal from office except upon presentment of charges, which must be proved before a trial board of the Civil Service Commission. Sometimes officials high in political office have attempted to secure removals of minor officers to make places for their friends, and the charge of "offensive partisans" has been advanced against such employes when they have openly worked and voted for the opponents of the party in power. These cases were not uncommon in the early days of civil service, but under the admirable administration of the civil service laws today, such charges have no standing.

Office, Oath of. See Oath.

Office of Indian Affairs. See INDIAN AFFAIRS, OFFICE OF.

Officers of the Army. By an act of Congress passed in 1870, the commissioned officers of the United States army are as follows, named in order of rank, with the salary of each at the time of appointment:

General of the Army	$13,500
Lieutenant-General	11,000
Major-General	7,500
Brigadier-General	5,500
Colonel	3,500
Lieutenant-Colonel	3,000
Major	2,500
Captain (mounted)	2,000
Captain (not mounted)	1,800
Regimental Adjutant	2,000
Regimental Quartermaster	2,000
First Lieutenant (mounted)	1,600
First Lieutenant (not mounted)	1,500
Second Lieutenant (mounted)	1,500
Second Lieutenant (not mounted)	1,400
Chaplain	1,800

There has been no appointment of General of the Army since the death of General Sheridan; the rank of Lieutenant-General is not always filled.

To each commissioned officer below the rank of Brigadier-General the pay is increased ten per cent for every five years' service, until a maximum increase of forty per cent is reached. Officers are retired from active service at the age of sixty-two years, and receive three-fourths' active service pay thereafter.

The pay of non-commissioned officers, including corporals and sergeants, ranges from $15 to $46 per month; that of privates, from $13 to $23 per month, according to the years of actual service. Hospital stewards are paid from $45 to $55 per month; acting hospital stewards, $25 to $35 per month; cooks, $20 to $30 per month, and musicians from $17 to $70 per month. Clerks at military headquarters receive from $83.33 to $150 per month; nurses, $40 to $150 per month, while contract surgeons, dental surgeons and veterinarians are paid salaries that range from $125 to $210 per month. Enlistment

is for five years. See United States Army; Comparative Rank in Army and Navy.

Officers of the Navy. The list of officers of the United States navy, in order of rank and with the grades of pay at the date of commission, is as follows:

Admiral of the Navy	$13,500	Chief boatswains, gunners, carpenters, sail-makers	$1,400
Rear-Admirals—		Midshipmen at sea	950
First nine	7,500	Midshipmen at academy	500
Second nine	5,500	Marine corps:	
Chiefs of bureaus	5,500	Brigadier-General	5,500
Captains	3,500	Colonels	3,500
Judge-Advocate General	4,500	Lieutenant-Colonels	3,000
Commanders	3,000	Majors	2,500
Lieutenant-Commanders	2,500	Captains (line)	1,800
Lieutenants	1,800	Captains (staff)	2,000
Lieutenants (junior grade)	1,500	First lieutenants	1,500
Ensigns	1,400	Second lieutenants	1,400

On shore duty beyond sea, 10 per cent. increase.

The grade of Admiral [q. v.] was allowed to lapse from the death of Admiral Porter, in 1890, to 1899, when it was revived for Admiral Dewey. The grade of Vice-Admiral [q. v.] has been filled but three times in the history of the navy, by Farragut, Porter, and Rowan.

Nearly all the officers below the rank of Commander have their pay increased from $200 to $400 per year, every five years, until a maximum increase of forty per cent has been reached. See United States Navy; Comparative Rank in Army and Navy.

"O Grab Me" Act. A term derisively used with reference to the Embargo Act of 1807. Its origin was in spelling in reverse order the word embargo. See Embargo; Non-Intercourse Act.

Ohio. Because of French explorations along the Great Lakes, what is now Ohio was a part of a vast tract claimed by France. All of these claims, also those of Great Britain, consisted of land grants made from ocean to ocean to various colonies along the coast. The first settlement was made by members of the Ohio Company, soon after 1749. By the treaty closing the French and Indian Wars, the English claim to Ohio was undisputed. At the close of the Revolutionary War England transferred this title to United States. Ohio was

a part of the Northwest Territory, as organized under the Ordinance of 1787. Three years later this Territory was partially divided, and one section became the Territory of Ohio. In 1802 Congress authorized the people of Ohio to draft a Constitution, and on February 19th, 1803, Ohio became the seventeenth State of the Union. Some authorities erroneously name 1802 as the year of admission.

Government. The present Constitution was adopted in 1851, but several amendments have been added. The document may be amended by three-fifths of all the members elected to each House of the Legislature, after which the proposed amendment must be published for six months in all the counties of the State, as a preliminary to public vote on the question. Every twenty years the question of calling a Constitutional Convention must be submitted to the electors of the State. Male citizens of the United States who have been in the State one year, in the county thirty days and in the township twenty days, may vote. The Legislature consists of a Senate of 37 members, and a House of Representatives of 121 members, all chosen for two years. Regular sessions are held biennially and are unlimited in length; members receive $600 per year. The State officers are the Governor, Lieutenant-Governor, Secretary of State, Treasurer, Attorney-General, Dairy and Food Commissioner, and Commissioner of Schools, all elected for two years; also a Commissioner of Agriculture and three members of a Board of Public Works, chosen for three years; and an Auditor, whose term is four years. At the head of the Judicial system is the Supreme Court of seven members, elected for terms of five years; there are Circuit courts, each having three Judges, chosen for five years; District courts, over which preside three Judges, chosen for five years; a system of Common Pleas courts, Probate courts, Chancery courts, and Justices of the Peace.

STATE SEAL OF OHIO.

Oklahoma. All that portion of Oklahoma, except the Public Land strip, was a part of the Louisiana Purchase of 1803. The earliest record of exploration is that of Don Diego de Penalosa, in 1662. The country which later comprised Oklahoma Territory and Indian Territory was set aside by Congress in 1832 as the "Indian Country," and was to remain with Territorial organization. In 1866 and 1889 the Indian tribes ceded their acreage to the Government, but for a number of years these tracts were not open to settlement. The Government was forced on different occasions to repel invaders. In 1885 Congress authorized the President to arrange for the opening of vacant lands to white settlers, and on April 22nd, 1889, the most extraordinary scene occurred in connection with this effort; thousands of prospective settlers gathered on the border line of the new lands, and at the appointed hour began a race for possession of farms and town lots. So rapidly was the country settled that on May 2nd, 1890, a Territorial Government was provided for Oklahoma. The next year the people petitioned for statehood. The issue was complicated by the desire of Indian Territory to be joined with Oklahoma, which proposition met with much objection. Finally, in November, 1907, the two Territories were admitted as the State of Oklahoma, in numerical order the forty-sixth State of the Union.

Government. The Constitution of Oklahoma is more radical in its provisions than any other ever written. Its enactments against corporate interests are considered especially severe. A corporation commission is provided, with power to regulate every great enterprise in the State. The initiative and referendum [see INITIATIVE, REFERENDUM AND RECALL] is established and the Governor may not veto what the people by such vote approve. The officers of the State are the Governor, Lieutenant-Governor, Secretary of State, Treasurer, Auditor, Attorney-General and Commissioner of Insurance. The Governor cannot serve two successive terms, but the other officers are free to seek re-election. The Supreme Court consists of a Chief Justice and seven Associate Justices.

Old Bullion was a nickname given to Thomas H. Benton, Senator from Missouri, for the reason that he advocated the adoption of gold and silver as a bimetallic standard of money for the United States.

Old Colony. This is a familiar name for the State of Massachusetts, selected because of its notable colonial administrations, which in great degree have shaped the thought and policy of the country. See NICKNAMES OF STATES.

Old Dominion, a name by which the State of Virginia is often called. Queen Elizabeth was so delighted with the new Virginia colony that she continually referred to it as the fourth kingdom of her realm. The poet Spenser dedicated the "Faerie Queene" to "Elizabeth, Queen of England, France, Ireland and Virginia." When Charles II was crowned king, Berkeley, the Governor of the colony, proclaimed him "Charles the Second, King of England, Scotland, Ireland and Virginia." Before this, in 1652, when the colonists heard that the home republican Government was about to send a fleet to reduce them to submission, they sent a message to Charles, in Flanders, inviting him to come over and be king of Virginia. He was inclined to accept the proposal when events began to foreshadow the Restoration. When that event had placed him safely on the throne of his father, the grateful monarch ordered the arms of Virginia to be quartered with those of England, Scotland and Ireland, as an independent member of the Empire. From this latter circumstance the colony received the title of "The Dominion." See NICKNAMES OF STATES.

Old Man Eloquent. To John Quincy Adams this sobriquet was given after his career as President and he had again entered public life as a member of the House of Representatives. The title was applied to him when he, as the champion of anti-slavery, accepted from the people thousands of petitions for the abolition of slavery and endeavored to have them read on the floor of Congress.

Oligarchy. An oligarchy is a form of government in which authority is vested in a few persons, not of royal birth, but possessing sufficient strength to seize and hold the offices of state.

In case a reigning monarch is dethroned and his power is seized by princes, dukes and earls of the realm, that new Government is an aristocracy [q. v.]; this differs from an oligarchy only in respect to the lineage of the usurpers. In the latter case the new Government is exercised by strong subjects of the former monarch not related by ties of blood to the royal House. Such a Government was that of Cromwell, in England, when Charles I was stripped of power and later beheaded. See ARISTOCRACY.

Omnibus Bill, another name for the Compromise of 1850 [q. v.]. This name was applied because of the great number of interests that were crowded into the bill, giving rise to the facetious remark by a Congressman that it was like an omnibus, there being "always room for one more."

On the Fence. This is a political phrase referring to a man who is undecided in his political views; he is usually ready to vote in any way in which it may be shown that his personal interests are promoted. Frequently the voter without decided opinions is swayed by sordid considerations.

Open Door. This term is applied to a condition of equal treatment by Oriental nations towards Europe and America in trade relations. The "open door" principle was not referred to by any nation before the last quarter of the nineteenth century; equal terms for trading, with China, especially, were demanded when Christian nations began to establish "spheres of influence" in the country named. In theory, a "sphere of influence" meant a city or province where a European nation of influence should be given preference in commercial affairs; in actual practice, it frequently meant that the usurping nation succeeded in excluding the traders of all other nations. The United States Government has never been opposed to the political control of any part of China by a European sovereignty, for it is our policy not to participate politically in affairs not connected with the American continent (see MONROE DOCTRINE); but we felt called upon to assert that any attempt on the part of other nations to secure exclusive trading privileges within any "sphere of influence" would be considered preju-

dicial to our interests. In 1889 Secretary of State Hay addressed a note to the Great Powers requesting from them a pledge of non-interference with any vested commercial interests wherever their influence extended; to agree not to lay discriminating duties, nor to charge unfair rates on railroads entering such territory. The effort of this nation was in the main successful; Russia, of all European nations, refused to accede to the request made, but the influence of that country in China is today a negligible quantity. The open door policy is one principle of the Anglo-Japanese treaty.

Open Letter. In the event that two persons are engaged in a controversy on political or social questions and their discussion is carried on in writing, it is customary, if the matter is of public interest, to print the letters from one to the other in newspapers rather than send them under seal between the disputants. Such correspondence is given the term "open letters."

Ordinance, a law passed by the legislative body of a village or city. Within the jurisdiction of a city or village council, ordinances are laws, violations of which are punished by fine or imprisonment, as the merits of the case may demand. Within their limited spheres, ordinances are as effective as State laws or laws of Congress, in wider territory. An ordinance before it goes into effect must be conspicuously posted or published in local newspapers for terms varying from two to six weeks, in order that all the inhabitants may be informed of the new regulation. See ENABLING ACT.

Ordinance of 1784. After the cession of the Northwest Territory [q. v.] to the Government, it was necessary to formulate laws for its control. In 1784 Thomas Jefferson presented to the Continental Congress provisions of an ordinance for the government of this vast tract. It provided that out of it there should ultimately be created seventeen States, the names of which were prescribed in the ordinance; some of these were Metropotamia, Polypotamia, Sylvania, Chersonesus, Assenesipia Pelisipia, Illinoia, Michigania and Saratoga. No change should be made in the form of government as regards any of these

proposed States, except by the consent of Congress and the State concerned. Many of the provisions of this ordinance were unsatisfactory, and in three years it was succeeded by the Ordinance of 1787 [q. v.].

Ordinance of 1787. This was an "Ordinance for the Government of the Territory of the United States northwest of the Ohio River." In colonial days Massachusetts, Connecticut, New York and Virginia claimed that their boundaries extended westward to the Mississippi River. Naturally, their claims conflicted, and other colonies, notably Maryland, refused to sign the Articles of Confederation until these pretensions were dropped and the Territory was ceded to the Government. Cession was made entirely, by the year 1786. The Territory included all that tract lying west of Pennsylvania, north of the Ohio River as far as Canada, and extending westward as far as the Mississippi. In 1784 it was apparent that complete cession would follow speedily, and Thomas Jefferson proposed in an "Ordinance of 1784" [q. v.] rules for the government of the territory. These were in many respects defective, and three years later the famous Ordinance of 1787 was passed by Congress in session at New York, then the capital. The object of the Ordinance of 1787 was declared to be to "extend the fundamental principles of civil and religious liberty which form the basis whereon these republics, their laws and constitutions are erected; to fix and establish those principles as the basis of all laws, constitutions and governments which forever hereafter shall be formed in the said territory." In the Ordinance was a provision that no more than five States and not fewer than three were ultimately to be organized within this Territory. Under this Ordinance the Territory was governed from 1788 to 1802. No section of this Territory was to be cut off from the remainder and organized into a State until there were 60,000 people within the boundaries of the proposed State. The Ordinance contained a bill of rights which secured freedom of worship, the benefits of the writ of habeas corpus, and exemption from cruel and unusual punishment, and it contained another clause which contributed immensely later to the enlightenment of the States

organized within its boundaries. This was that "religion, morality and knowledge being necessary to good government and the happiness of mankind, schools and the means of education shall forever be encouraged."

The Ordinance of 1787 belongs with the Declaration of Independence and the Federal Constitution. It is one of the three title deeds of American constitutional liberty. The full text is as follows:

AN ORDINANCE FOR THE GOVERNMENT OF THE TERRITORY OF THE UNITED STATES NORTHWEST OF THE RIVER OHIO.

Be it ordained by the United States in Congress assembled, That the said territory, for the purposes of temporary government, be one district, subject, however, to be divided into two districts, as future circumstances may, in the opinion of Congress, make it expedient.

Be it ordained by the authority aforesaid, That the estates, both of resident and non-resident proprietors in the said territory, dying intestate, shall descend to, and be distributed among, their children, and the descendants of a deceased child, in equal parts; the descendants of a deceased child or grandchild to take the share of their deceased parent in equal parts among them: And where there shall be no children or descendants, then in equal parts to the next of kin in equal degree; and, among collaterals, the children of a deceased brother or sister of the intestate shall have, in equal parts among them, their deceased parents' share; and there shall, in no case, be a distinction between kindred of the whole and half-blood; saving, in all cases, to the widow of the intestate her third part of the real estate for life, and one-third part of the personal estate; and this law, relative to descents and dower, shall remain in full force until altered by the Legislature of the district. And, until the governor and judges shall adopt laws as hereinafter mentioned, estates in the said territory may be devised or bequeathed by wills in writing, signed and sealed by him or her, in whom the estate may be (being of full age), and attested by three witnesses; and real estates may be conveyed by lease and release, or bargain and sale, signed, sealed, and delivered by the person, being of full age, in whom the estate may be, and attested by two witnesses, provided such wills be duly proved, and such conveyances be acknowledged, or the execution thereof duly proved, and be recorded within one year after proper magistrates, courts, and registers shall be appointed for that purpose; and personal property may be transferred by delivery; saving, however to the French and Canadian inhabitants, and other settlers of the Kaskaskias, St. Vincents, and the neighboring villages who have heretofore professed themselves citizens of Virginia, their laws and customs now in force among them, relative to the descent and conveyance of property.

Be it ordained by the authority aforesaid, That there shall be appointed, from time to time, by Congress, a governor, whose commission shall continue in force for the term of three years, unless sooner revoked by Congress; he shall reside in the district, and have a freehold estate therein in 1,000 acres of land, while in the exercise of his office.

There shall be appointed, from time to time, by Congress, a secretary, whose commission shall continue in force for four years unless sooner revoked; he shall reside in the district, and have a freehold estate therein in 500 acres of land, while in the exercise of his office; it shall be his duty to keep and preserve the acts and laws passed by the Legislature, and the public records of the district, and the proceedings of the governor in his Executive department; and transmit authentic copies of such acts and proceedings, every six months, to the Secretary of Congress: There shall also be appointed a court to consist of three judges, any two of whom to form a court, who shall have a common law jurisdiction, and reside in the district, and have each therein a freehold estate in 500 acres of land while in the exercise of their offices; and their commissions shall continue in force during good behavior.

The governor and judges, or a majority of them, shall adopt and publish in the district such laws of the original States, criminal and civil, as may be necessary and best suited to the circumstances of the district, and report them to Congress from time to time: which laws shall be in force in the district until the organization of the General Assembly therein, unless disapproved of by Congress; but, afterwards, the Legislature shall have authority to alter them as they shall think fit.

The governor, for the time being, shall be commander-in-chief of the militia, appoint and commission all officers in the same below the rank of general officers; all general officers shall be appointed and commissioned by Congress.

Previous to the organization of the General Assembly, the governor shall appoint such magistrates and other civil officers, in each county or township, as he shall find necessary for the preservation of the peace and good order in the same: After the General Assembly shall be organized, the powers and duties of the magistrates and other civil officers shall be regulated and defined by the said assembly; but all magistrates and other civil officers, not herein otherwise directed, shall, during the continuance of this temporary government, be appointed by the governor.

For the prevention of crimes and injuries, the laws to be adopted or made shall have force in all parts of the district, and for the execution of process, criminal and civil, the governor shall make proper divisions thereof; and he shall proceed, from time to time, as circumstances may require, to lay out the parts of the district in which the Indian titles shall have been extinguished, into counties and townships, subject, however, to such alterations as may thereafter be made by the Legislature.

So soon as there shall be 5,000 free male inhabitants of full age in the district, upon giving proof thereof to the governor, they shall receive authority, with time and place, to elect representatives from their counties or townships to represent them in the General Assembly: *Provided*, That, for every 500 free male inhabitants, there shall be one representative, and so on progressively with the number of free male inhabitants, shall the right of representation increase, until the number of representatives shall amount to twenty-five; after which, the number and proportion of representatives shall be regulated by the Legislature: *Provided*, That no person be eligible or qualified to act as a representative unless he shall have been a citizen of one of the United States three years, and be a resident in the district, or unless he shall have resided in the district three years; and, in either case, shall likewise hold in his own right, in fee simple, 200 acres of land within the same: *Provided, also*, That a freehold in 50 acres of land in the district, having been a citizen of one of the States, and being resident in the district, or the like freehold and two years residence in the district, shall be necessary to qualify a man as an elector of a representative.

The representatives thus elected, shall serve for the term of two years; and, in case of the death of a representative, or removal from office, the governor shall issue a writ to the county or township for which he was a member, to elect another in his stead, to serve for the residue of the term.

The General Assembly, or Legislature, shall consist of the governor, legislative council, and a house of representatives. The legislative council shall consist of five members, to continue in office five years, unless sooner removed by Congress; any three of whom to be a quorum: and the members of the council shall be nominated and appointed in the following manner, to wit: As soon as representatives shall be elected, the governor shall appoint a time and place for them to meet together; and, when met, they shall nominate ten persons, residents in the district, and each possessed of a freehold in 500 acres of land, and return their names to Congress; five of whom Congress shall appoint and commission to serve as aforesaid; and, whenever a vacancy shall happen in the council, by death or removal from office, the house of representatives shall nominate two persons, qualified as aforesaid, for each vacancy, and return their names to Congress; one of whom Congress shall appoint and commission for the residue of the term. And every five years, four months at least before the expiration of the time of service of the members of council, the said house shall nominate ten persons, qualified as aforesaid, and return their names to Congress; five of whom Congress shall appoint and commission to serve as members of the council five years, unless sooner removed. And the governor, legislative council, and house of representatives, shall have authority to make laws in all cases, for the good government of the district, not repugnant to the principles and articles in this ordinance established and

declared. And all bills, having passed by a majority in the house, and by a majority in the council, shall be referred to the governor for his assent; but no bill, or legislative act whatever, shall be of any force without his assent. The governor shall have power to convene, prorogue, and dissolve the General Assembly, when, in his opinion, it shall be expedient.

The governor, judges, legislative council, secretary, and such other officers as Congress shall appoint in the district, shall take an oath or affirmation of fidelity and of office; the governor before the President of Congress, and all other officers before the governor. As soon as a Legislature shall be formed in the district, the council and house assembled in one room, shall have authority, by joint ballot, to elect a delegate to Congress, who shall have a seat in Congress, with a right of debating but not of voting during this temporary government.

And, for extending the fundamental principles of civil and religious liberty, which form the basis whereon these republics, their laws and constitutions are erected; to fix and establish those principles as the basis of all laws, constitutions, and governments, which forever hereafter shall be formed in the said territory: to provide also for the establishment of States, and permanent government therein, and for their admission to a share in the Federal councils on an equal footing with the original States, at as early periods as may be consistent with the general interest:

It is hereby ordained and declared by the authority aforesaid, That the following articles shall be considered as articles of compact between the original States and the people and States in the said territory and forever remain unalterable, unless by common consent, to wit:

ART. 1st. No person, demeaning himself in a peaceable and orderly manner, shall ever be molested on account of his mode of worship or religious sentiments, in the said territory.

ART. 2d. The inhabitants of the said territory shall always be entitled to the benefits of the writ of *habeas corpus*, and of the trial by jury; of a proportionate representation of the people in the Legislature; and of judicial proceedings according to the course of the common law. All persons shall be bailable, unless for capital offenses, where the proof shall be evident or the presumption great. All fines shall be moderate; and no cruel or unusual punishments shall be inflicted. No man shall be deprived of his liberty or property, but by the judgment of his peers or the law of the land; and, should the public exigencies make it necessary, for the common preservation, to take any person's property, or to demand his particular services, full compensation shall be made for the same. And, in the just preservation of rights and property, it is understood and declared, that no law ought ever to be made, or have force in the said territory, that shall, in any manner whatever, interfere with or affect private contracts or engagements, *bona fide*, and without fraud, previously formed.

ART. 3d. Religion, morality, and knowledge, being necessary to good government and the happiness of mankind, schools and the means of education shall forever be encouraged. The utmost good faith shall always be observed towards the Indians; their lands and property shall never be taken from them without their consent; and, in their property, rights, and liberty, they shall never be invaded or disturbed, unless in just and lawful wars authorized by Congress; but laws founded in justice and humanity, shall, from time to time, be made for preventing wrongs being done to them, and for preserving peace and friendship with them.

ART. 4th. The said territory, and the States which may be formed therein, shall forever remain a part of this confederacy of the United States of America, subject to the Articles of Confederation, and to such alterations therein as shall be constitutionally made; and to all the acts and ordinances of the United States in Congress assembled, conformable thereto. The inhabitants and settlers in the said territory shall be subject to pay a part of the federal debts contracted or to be contracted, and a proportional part of the expenses of government, to be apportioned on them by Congress according to the same common rule and measure by which apportionments thereof shall be made on the other States; and the taxes, for paying their proportion, shall be laid and levied by the authority and direction of the legislatures of the district or districts, or new States, as in the original States, within the time agreed upon by the United States in Congress assembled. The legislatures of those districts or new States, shall never interfere with the primary disposal of the soil by the United States in Congress assembled, nor with any regulations Congress may find necessary for securing the title in such soil to the *bona fide* purchasers. No tax shall be imposed on lands the property of the United States; and, in no case, shall non-resident proprietors be taxed higher than residents. The navigable waters leading into the Mississippi and St. Lawrence, and the carrying places between the same, shall be common highways, and forever free, as well to the inhabitants of the said territory as to the citizens of the United States, and those of any other States that may be admitted into the Confederacy, without any tax, impost, or duty, therefor.

ART. 5th. There shall be formed in the said territory, not less than three nor more than five States; and the boundaries of the States, as soon as Virginia shall alter her act of cession, and consent to the same, shall become fixed and established as follows, to wit: The Western State in the said territory, shall be bounded by the Mississippi, the Ohio, and Wabash rivers; a direct line drawn from the Wabash and Post St. Vincent's, due North, to the territorial line between the United States and Canada; and, by the said territorial line, to the Lake of the Woods and Mississippi. The middle State shall be bounded by the said direct line, the Wabash from Post Vincent's, to the Ohio; by the Ohio, by a direct line, drawn due North from the mouth of the Great Miami, to the said

territorial line, and by the said territorial line. The Eastern State shall be bounded by the last mentioned direct line, the Ohio, Pennsylvania, and the said territorial line: *Provided, however,* and it is further understood and declared, that the boundaries of these three States shall be subject so far to be altered, that, if Congress shall hereafter find it expedient, they shall have authority to form one or two States in that part of the said territory which lies North of an East and West line drawn through the Southerly bend or extreme of Lake Michigan. And, whenever any of the said States shall have 60,000 free inhabitants therein, such State shall be admitted, by its delegates, into the Congress of the United States, on an equal footing with the original States in all respects whatever, and shall be at liberty to form a permanent constitution and State government: *Provided,* the constitution and government so to be formed, shall be republican, and in conformity to the principles contained in these articles; and, so far as it can be consistent with the general interest of the confederacy, such admission shall be allowed at an earlier period, and when there may be a less number of free inhabitants in the State than 60,000.

ART. 6th. There shall be neither slavery nor involuntary servitude in the said territory, otherwise than in the punishment of crimes, whereof the party shall have been duly convicted: *Provided, always,* That any person escaping into the same, from whom labor or service is lawfully claimed in any one of the original States, such fugitive may be lawfully reclaimed and conveyed to the person claiming his or her labor or service as aforesaid.

Be it ordained by the authority aforesaid, That the resolutions of the 23d of April, 1784, relative to the subject of this ordinance, be, and the same are hereby, repealed and declared null and void.

Oregon. The Spaniards claimed the Oregon country because of explorations as early as 1542. Opposition to Spanish control was based on the later expedition of Sir Francis Drake, and, still later, on the fact that in 1778 Captain Cook touched the coast and apparently confirmed the English title to this section. Within ten years Spain allowed her claim to all of this territory to lapse in favor of Great Britain. America's claim to Oregon was based on the expedition of Lewis and Clark, sent out by the United States Government in 1804–06. The conflicting claims of our Government and that of Great Britain, as to the boundary of the Oregon country, was settled by treaty in 1846. In 1848 the Territory of Oregon was organized, and it was admitted into the Union as the thirty-third State on February 14, 1859.

Government. Oregon has had but one Constitution, adopted in 1857, previous to its admission to the Union. It may be amended by majority vote of two successive Legislatures, with subsequent approval by majority vote at a State election. Male citizens of the United States may vote, provided they have resided in the State six months prior to an election. The Legislature is composed of a Senate of 30 members, elected for four years, and a House of Representatives of 60 members, elected for two years. Regular sessions are held biennially and are not limited in length, except that after forty days members cannot draw compensation for their services; previous to that limitation, their pay is $3.00 per day for actual attendance. Extra sessions are limited to twenty days. The State officers are the Governor, Secretary of State, Treasurer, Attorney-General and Superintendent of Public Instruction, all elected for four years. There is provision for a referendum [q. v.] in Oregon, and the Governor cannot veto any action of the Legislature which has been approved by a referendum vote. The Judicial authority is vested in a Supreme Court of three Justices, elected for six years; in Circuit courts, with Judges elected for six years; in County courts, each presided over by a Judge whose term is four years. There are also Justices of the Peace in each township. Since 1905 there has been in effect a law providing Juvenile courts for minor delinquents.

STATE SEAL OF OREGON.

Organization of Congress. A new Congress comes into existence every two years. Its first session, unless a special session is called by order of the President, begins on the first Monday in December. Its existence terminates on the fourth day of the second March following. The Senate is a permanent body, only one-third of its members being new at the opening of any Congress. However, its committees are appointed for a period of two years only, and thus all committees are reorganized at the beginning of every new Congress in order that

new members may receive due committee appointments. The terms of all the members of the House of Representatives expire with the termination of the Congress to which they were elected. Thus it is possible that on the opening of a new Congress, every member of the House of Representatives may be new and untried in legislative service. However, this has never been the case and probably it never will occur, because many Representative districts reelect deserving members term after term, some having served as many as fifteen successive terms. All committees of the House of Representatives must therefore be newly appointed at the opening of each new Congress. The manner of organizing the House of Representatives may be stated briefly as follows:

At noon on the first Monday of December, the House is called to order by the clerk of the preceding House. He is the only officer who holds over from one Congress to the beginning of the next. He calls by States the roll of the members-elect, who have previously sent to him their certificates of election received from the State canvassing boards. If a quorum is found to be present, the clerk declares it to be in order to proceed with the election of a Speaker of the House. The vote is *viva voce* [q. v.], on the call of the roll, each member when his name is called responding with the name of his choice for Speaker. In caucuses, on a previous date, each political party has selected its candidate for the position. The candidate for Speaker who receives the majority of the votes cast is declared elected. As soon as the clerk announces the result of the vote, he appoints two members of two different political parties to conduct the Speaker-elect to the chair, also another member, usually one who has been longest or most conspicuous in public service, to administer to him the oath required by the Constitution. The Speaker, having first been inaugurated, administers the oath to all the members of the House in groups of from twenty to thirty, as they stand in line before his desk. The organization is completed by the election of a clerk and sergeant-at-arms, a doorkeeper, a postmaster and a chaplain. The vote on these officers is also *viva voce*. The Delegates

from the Territories are then sworn in, following which the allotment of seats occurs.

The organization of the House now being fully completed, it is usual for that body to adopt an order to the effect that a messenger be sent to the Senate to inform that body that a quorum of the House of Representatives has assembled and that Mr. ———, one of the Representatives from the State of ———, has been voted Speaker, and that Mr.———, a citizen of the State of———, has been chosen clerk, and that the House is ready to proceed to business. Each House then orders a committee of three members to be appointed, this joint committee to wait upon the President of the United States and inform him that a quorum of the two Houses has assembled and that Congress is ready to receive any communication he may be pleased to make. The President immediately responds by forwarding by special messenger his annual message. [See MESSAGE OF THE PRESIDENT.]

The Speaker of the House of Representatives is given power to appoint all of the committees of the House. This is a matter of great responsibility, but it is rightly placed, because the Speaker is directly responsible for all legislation passed by the House. A strong Speaker may practically dictate every important movement in the body over which he presides.

In the Senate, the Vice-President of the United States is the presiding officer, but he is not a member of that body. Therefore the authority of appointing committees is not vested in him; the Senate committees are arranged by a special committee from each political party. The party having the majority of members in the Senate will have the majority of committee appointments, the minority accepting without protest the number of appointments which corresponds to its proportion of members in the Senate. See COMMITTEES OF CONGRESS; MINORITY REPRESENTATION.

Original Jurisdiction. This is a term applied to the powers of a court which may legally conduct the first trial of a case at law. In this it differs from a purely appellate court, which may hear only those cases which have been appealed to it from a

lower court. Some courts have both original and appellate jurisdiction; they may hear cases appealed from lower courts and may be competent also to hear and decide new issues. A County Court or Circuit Court in a State Judicial system may be an appellate court for cases appealed from Justice Courts; it has original jurisdiction in all other cases at law arising within the county. The State Supreme Court is an appellate court for cases appealed from the various County courts or Circuit courts of the State. It has original jurisdiction in such cases as are prescribed by the State Constitution. See APPELLATE JURISDICTION; APPELLATE COURT.

Original States. See ADMISSION OF STATES TO THE UNION.

Ostend Manifesto. In 1850 and 1851 filibustering expeditions left the United States to assist the Cubans in their revolutionary plans. These events and our declination in 1852 to engage with France and England in a proposed treaty on filibustering attracted much attention to the question of the annexation of Cuba to the United States. It was the first time that this matter was ever discussed; it was of slight importance, then, but foreshadowed future complications which have materialized within the past few years; Cuba's fortunes are now intimately connected with this country.

In 1854 President Pierce directed our ministers to Great Britain, France and Spain to meet and consider the subject. One of these men was James Buchanan, who became President of the United States in 1857. He was then Minister to England. These three men met at Ostend, in Belgium, although most of their sessions were held at Aix-la-Chapelle. From the latter place, in October of the same year, they addressed a letter to our Government, declaring that the purchase of Cuba would be an advantage both to Spain and to the United States. They also urged the point that if the island could not be acquired by purchase, it was advisable and justifiable for our own protection to seize it. Meetings of the three ministers and the result of their work were ill advised. In 1856, in the Presidential campaign, the Manifesto was denounced by the Republicans and met with no defense at the hands of the Democrats.

Overt Act. An overt act is one which is open to public view and admitting of direct evidence in proof of its commission. It is referred to in the Constitution of the United States, in Article III, Section 3, Clause 1, in defining treason against the United States.

Oyer and Terminer. In several States this name is given to criminal courts of original jurisdiction. The two words are of Norman-French origin, were carried to England by William the Conqueror and by English colonists to America. Such courts hold sessions semi-annually; the Judges are appointed from among the Justices of superior courts.

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Pacific Blockade. Pacific means peaceful; a pacific blockade is one which intervenes while there is no war existing between the blockading and the blockaded countries. It is never justified by any tenet of international law, but has been employed on occasion as a means of coercion by a powerful nation against a weak one, when some demands of the former have not been met with promptness by the latter; as, for instance, the collection of a debt owed by the weak nation to the stronger.

Pacific Railroads. See LAND GRANTS.

Pains and Penalties, BILL OF. See BILL OF ATTAINDER.

Pairs and Pairing. In Legislative bodies it often happens that a member must be absent from sessions when voting is expected on important measures. It has become the custom in such cases for a member who cannot be present when the vote is taken to "pair" himself with a member of the opposing party who is also expected to be absent. By this means, while the first member loses his vote, no party advantage is lost, because a corresponding vote of the opposition is likewise lost. Occasionally pairs are arranged when only one member must be absent, the other member to the agreement absenting himself purposely from the House or Senate when the vote is taken.

Paper Blockade. By blockade is meant the closing of the ports of a country in time of war by the fleets of the opposing nation. To be actually a blockade which shall be recognized by all nations, it must be effective; that is, the ports must actually be so guarded that ingress and egress is impossible. The blockading nation must publish to the world the fact that a blockade is in operation. If a blockade is published but is not carried into effect, it is said to be a paper blockade. See BLOCKADE.

Paper Currency. The legal tender money of the United States is issued in two forms—metal and paper. Metallic currency possesses an intrinsic value [q. v.] equal or nearly equal in all cases to its stamped value. Paper currency has no

intrinsic value, and it can possess value only when based on acceptable security. While paper money possesses the distinct advantage of greater convenience in handling, is more portable than metal and costs practically nothing to produce, yet it carries the disadvantage of requiring exchangeability for one of the precious money metals or the redemptive guarantee of a strong Government to make it acceptable as a medium of exchange.

Paper money is of two kinds—convertible and inconvertible. By the former term is meant that it is exchangeable at any sub-treasury, and therefore everywhere, for equal value in gold or silver, which was deposited in the Treasury to redeem it, at the time it was put into circulation. Inconvertible paper currency circulates with no deposit of metal to redeem it; it has only the good will and promise of the Government back of it; the Government makes it by law legal tender [q. v.] in payment of debts; it forces it into circulation by giving it in payment of Government indebtedness (with the exception of interest on bonds, which is payable in gold) and in turn receives it freely for debts due the Government. So long as it is not issued in quantities in excess of the needs of the country, its value is easily maintained. If temptation to overissue cannot be resisted, no piece of inconvertible paper currency will be accepted anywhere at any value greater than the worth of such metal as can be obtained for it. This value would be determined by public opinion.

By law the Secretary of the Treasury is required to maintain the parity of the various kinds of currency. In order to carry out this statute, a reserve of at least $150,000,000 in gold is kept in the Treasury. If paper currency is presented for redemption in quantities so great as to reduce this reserve below the above mark, such paper may not again leave the Treasury vaults except in exchange for gold. If in times of great financial stress the reserve gets below $100,000,000, the Secretary of the Treasury must sell bonds (for which the purchaser must present gold in payment) to restore it to $150,000,000. It is by such safeguards that all reasonable doubt as to

the convertibility of all kinds of paper money is removed. See CURRENCY; METALLIC CURRENCY.

Paper Money. See PAPER CURRENCY.

Pardon. As used in any Government, a pardon is an act by the Executive granting to one who has committed a crime exemption from punishment. A pardon may be granted before or after conviction, but usually the pardoning power is never applied until after sentence has been pronounced. A pardon is almost always an Executive function, the power being held in a State by the Governor, and in the nation by the President. In some States, however, the power to pardon is vested in a State Board of Pardons before whom all applications for clemency must be made. Wherever there is not a State Board of Pardons, the Governor is given full discretionary power. The Constitution of the United States gives the President pardoning power in all Federal cases, and his privilege in this direction is unlimited except that he cannot pardon one who is found guilty of any misdemeanor as the result of impeachment proceedings. He can even pardon a case of a person convicted of treason, which is considered the most heinous of all crimes. A pardon must not be confused with commutation of sentence; the latter simply lessens punishment; as, for instance, a man who is sentenced for a term of twenty years may have this sentence reduced by Executive authority to ten or fifteen years. It differs also from reprieve, which is simply a suspension of the execution of the sentence for a certain specified time.

Parliamentary Law, in its original application, referred to the usages governing the proceedings of the English Parliament; today the term includes all rules, precedents, customs and usages which have been generally accepted as most practicable in controlling deliberative bodies. In the United States no single compilation is accepted as a universal authority; the rules of Congress have great weight throughout the country, yet every State Legislature compiles the rules under which its deliberations shall proceed. No set of rules has ever been recognized in decisions of courts or prescribed by statute, therefore such regulations may be made by each deliberative

body as suits its purpose. "Reed's Rules" is a popular code of parliamentary law prepared by Thomas B. Reed, former Speaker of the House of Representatives. Probably the most widely used compilation is "Roberts' Rules of Order." See REED'S RULES.

Party Platform. See PLATFORM.

Passive Commerce, exports and imports carried in foreign vessels. See ACTIVE COMMERCE.

Passport. A passport is an official document issued to a person by his home Government, certifying to his citizenship and requesting foreign powers to grant him safe and free passage and all lawful aid and protection while within their jurisdiction. The application must be accompanied by an affidavit, attested by a notary public or other officer empowered to administer oaths, stating that the applicant is a citizen and giving the place of birth and age, and it must be accompanied by the certificate of one other citizen to whom he is personally known that the declaration made by the applicant is true. The application must also be accompanied by a description of the person, particularly as to age, height, complexion, forehead, eyes, nose, mouth, chin, hair and face. The Department of State issues passports to citizens of the United States who desire to travel in foreign countries. However, while abroad, if a citizen desires permission to enter countries not mentioned in his passport, he may apply to our legation [q. v.] in the country in which he may be for an additional permit. If he is in a country in which our Government has no diplomatic representative, a consul may issue to him a new passport. The fee required is one dollar; the time limit on a passport is two years. See SAFE CONDUCT.

Patent, or LETTERS PATENT. A patent is a grant issued by a Government to an inventor, guaranteeing to him the exclusive privilege of making, using and selling any new machine or device which he may have originated. The privilege extends over a period of seventeen years, and if infringement of the inventor's rights be discovered during that period, the Government's records are available by the owner of the patent

in any contest for the protection of his rights. The Constitution of the United States, in Article I, Section VIII, Clause 8, gives to Congress the right to decide in what manner and to what extent authors and inventors shall enjoy exclusive rights from their writings and inventions. The present laws relating to patents are the outgrowth of much legislation on the subject.

The United States Patent Office is a bureau of the Department of the Interior, and is in charge of a Commissioner of Patents, who receives a salary of $5,000 per year. Next in authority is the Assistant Commissioner, and under these two is a force of examiners. The merits of any device on which a patent is sought are investigated by an examiner; if the article is not already patented and the inventor conforms to regulations as to drawings and models, letters patent are issued. If, however, the device is rejected by the examiner, there is an appeal to a board of three of his fellow-examiners, and from them to the Commissioner of Patents, from whose decision there is no appeal. The law specifies that a patent may be issued "to any person who has invented or discovered any new and useful art, machine, manufacture or composition of matter or any new and useful improvement thereof, not known or used by others in this country and not patented or described in any printed publication in this or any foreign country before his invention or discovery thereof, and not in public use or on sale for more than two years prior to his application, unless the same is proved to have been abandoned. The owner of a patent has the privilege of disposing of his rights by sale or by will, and every right named as his is transferred to the new holder.

Application for a patent must be made in writing, addressed to the Commissioner of Patents. There must be a minute description of the device on which the grant is asked, and whenever possible, an absolutely correct drawing of all the parts. When required to do so, the applicant must submit a model of the article. Under oath the applicant must state that he is the originator of the device, and that so far as he

knows, no other person has produced the same thing. An initial fee of $15 must accompany every application, to cover expense of examination, and if the patent is granted, an additional fee of $20 is required. It sometimes occurs that an error has been made in descriptions, or specifications may be defective, necessitating a new issue of the patent; in such cases another fee of $30 must be paid. At the end of the period of seventeen years for which a patent is issued, a renewal cannot be secured; the device then becomes public property, probably on the theory that the inventor should no longer enjoy a monopoly of an article of value to all the people, or that, in many instances, its value will have decreased, by reason of subsequent improvements on which patents have been issued.

Patent Office, a Government office through which patents may be obtained. In the United States this is a bureau of the Department of the Interior, presided over by a Commissioner of Patents. Under him is the Assistant Commissioner and a large force of examiners, whose duty it is to ascertain whether the article offered is already protected by patent in the name of another person. Much of the Commissioner's work is judicial in character, in hearing and deciding cases involving priority of claim. See PATENT.

Paternalism, a name derived from the Latin *pater*, meaning father. It applies to the theory and practice of a Government which descends to the control and regulation of the social and business affairs of the people, in much the same manner that a father deals with his children. In the United States this spirit is unknown to our institutions; we have a Government which limits the exercise of its powers to the preservation and enforcement of order and justice. By many observers of governmental policies the German Empire of today is considered paternalistic.

Patrons of Husbandry, a secret order organized in the United States in 1867, for the purpose of promoting the social and material interests of farmers and those engaged in allied industries. The order was non-political, in that it did not

place candidates in the field for election to office, but because of its large membership it wielded much political influence. The Patrons declared for the following reforms: Postal savings banks, pure food laws, rural free mail delivery, additional powers to the Interstate Commerce Commission, the election of Senators in Congress by direct vote of the people, and the settlement of international differences by arbitration. With the exception of the first and the last two provisions, laws have been passed covering these demands, although it may not be safe to credit this organization wholly with their passage.

Patroon Government. The word *patroon* is from the Dutch, and means *patron.* It was applied to the early settlers in New Netherlands (New York), to whom special privileges were granted by the Dutch West India Company, owners of that part of the New World. In order to invite rapid settlement around New Amsterdam it issued "Freedoms and Exemptions" to patroons of New Netherlands who would turn their energies to colonization. In 1629 the Company offered any patroon who would within four years plant a colony of fifty persons over fifteen years of age any tract of land not already chosen, outside of Manhattan Island, sixteen miles along one side of the river or bay, or eight miles along two sides, and as far back into the country as the patroon desired the tract to extend. Over this territory he was to have a monopoly of grinding, hunting, fishing and mining; authority over any towns which might be settled was also granted him. In 1640 the "Freedoms and Exemptions" were modified; the time for completing a settlement was reduced to three years, the territory granted was limited to four miles along one side of the water or two miles along each side, and the tract could extend only four miles back from the river or bay. The result of this system, which became popular with everybody who could bear the expense of settlement, was to establish a landed aristocracy. After the Revolutionary War a system of leases was devised in place of the feudalism of the preceding years; naturally in a free country—a republic—the old system of government could not be tolerated. The collection of

rentals became difficult after forty or fifty years, the tenants coming to believe they had gained proprietary interests. An "anti-renter's rebellion" brought the system to an end, for the Legislature of 1846, in obedience to the demands of the tenants, who held the balance of power, released debtors from all obligations to the old system and declared that thereafter no lease of land should be for a longer period than twelve years. Sale of the great patroon tracts in small sections rapidly followed.

Pauper Labor is a much used phrase during Presidential campaigns, in speeches on the subject of protection [q. v.] and free trade [q. v.]. In nearly every campaign within the memory of middle-aged men the tariff question has been a leading political issue. Protectionists have contrasted the condition of well-paid, intelligent American working men with the poorly-paid, ignorant workmen of many European countries, always, of course, to the immense advantage of the American. Free trade prevails in almost every country of Europe, and, if politicians are to be believed, this economic system reduces the laborer to a state bordering on pauperism. The subject is interesting to the student of political economy.

Peace Convention, a meeting held in the City of Washington in February, 1861, for the discussion of ways and means of averting war between the North and South. The call was made by the Virginia Legislature "to adjust the present unhappy difficulties, in the spirit in which the Constitution was originally formed, so as to afford the people in the slave-holding States adequate guarantee for the security of their rights." Ex-President John Tyler was presiding officer of the conference; twenty-one States sent 133 delegates; the States not represented were Michigan, Minnesota, Wisconsin, Oregon, California, South Carolina, Georgia, Florida, Alabama, Mississippi, Louisiana and Texas. The sessions were secret and were marked by considerable friction. However, an amendment to the Constitution was agreed upon and referred to Congress. It provided that slavery was to be prohibited in the existing States north of 36° 30′, and was to be legalized in

States south of that line; that any Territory north or south of 36° 30′ with sufficient population was to be admitted as a State, with or without slavery, as its Constitution provided; that no new territory be acquired by the United States without the concurrence of a majority of Senators from the slave States and a majority of the same from the free States; that the Constitution should not be construed to give Congress power to interfere with slavery wherever it should be planted. The amendment was voted on in Congress on March 4, but received the support of only seven members. It was considered as another ill-advised compromise.

Peanut Politics. This is a term used derisively to characterize political acts which from their nature can result in very little party advantage.

Peer. In trial by jury, every accused person is entitled to a fair and impartial judicial hearing, the issues of the cause to be determined by a jury of his peers. The word *peers* means equals, and while in the United States all citizens are equal before the law, and the phrase has little legal significance to us, it is interesting to trace the origin of the term.

In the celebrated Magna Charta [q. v.] granted by King John at Runnymede, in 1215, is the following paragraph:

> "No freeman shall be taken, or imprisoned, or dissiezed, or outlawed, or banished, or any ways injured; nor will we pass upon him, nor send upon him, unless by the legal judgment of his peers, or by the law of the land."

In England, society has always been composed of different orders and ranks; earls, dukes, barons, and the like, by Magna Charta were guaranteed trial by a jury composed of members of their own rank or standing. No man was required to receive a verdict rendered by a jury from a lower order of society. The spirit of the provision of Magna Charta has prevailed throughout the centuries, not only in England, but throughout English-speaking nations and dependencies. Every sense of justice in the conduct of trials in the United States is fully satisfied when an impartial jury has been secured among the fellow-citizens of the accused [see Trial by Jury].

Penal, pertaining to punishment, or relating to the method, means or place of punishment.

A *penal act* is any act subject to penalty of fine or imprisonment.

A *penal clause* is a section or subdivision of a statute which declares what punishment shall be inflicted for violation of its provisions.

Penal servitude is imprisonment at hard labor for a term of years as punishment for a crime whereof the accused person has been duly convicted.

Pennsylvania. The first settlements in this section were made by the Dutch, about 1623. In 1638 the Swedes settled in the vicinity, but within twenty-five years they were conquered by their Dutch neighbors. In 1664 all the land between the Delaware and Connecticut Rivers was given by the King of England to the Duke of York, who in turn granted the southern section to Carteret and Berkeley. The latter sold his interest to a man who became insolvent, and in this way William Penn, one of the bankrupt's trustees, became interested in the colony. In 1681 Penn received a grant of land now comprised within the State of Pennsylvania, with sole right of government, the only limitation on his power being the necessary consent of the Freedmen, and subject to the approval of the Crown within five years. Within ten years the King revoked Penn's charter, because of the refusal of the colonists to provide funds for defense against the French, but it was restored to Penn two years later. Pennsylvania was very prominent in the Revolutionary struggle; its chief city, Philadelphia, was the place of meeting of the Continental Congress. It was at Philadelphia that the Declaration of Independence was signed, and it was there that the Constitutional Convention was held. The State ratified the new Constitution on December 12th, 1787, being among the first to take this action.

STATE SEAL OF PENNSYLVANIA.

Government. The present Constitution was adopted in 1873. It may be amended by a majority vote of each House of two successive Legislatures, followed by ratification at a popular election. Only one amendment may be submitted in any five-year period. To make one eligible as a voter, he must have paid not more than two years prior to an election a State or county tax, and he must have lived within the State one year and in his election district two months. In the Legislature there is a Senate of 50 members, elected for four years, and a House of Representatives of 204 members, elected for two years. Regular sessions are held biennially; they are not limited in length; members receive $1,500 for each regular session. The officers of the State are the Governor, Lieutenant-Governor and Secretary of State, all elected for four years; an Auditor-General, elected for three years, and a Treasurer, elected for two years. The Attorney-General is appointed by the Governor, subject to approval by the Senate. The Superintendent of Public Instruction is appointed in similar manner. The Governor is eligible to re-election. At the head of the Judicial Department is a Supreme Court of seven members, each elected for twenty-one years. Below this is the Superior Court of seven members, elected for ten-year terms. There are also courts of Common Pleas in each Judicial District, holding sessions in every county. There are also Justices of the Peace.

Pension. A pension is a periodical payment of money to an individual, or some one representing him, in recognition of past meritorious service. The United States early made provision for the payment of pensions to those who suffered in the military and naval service of the country. This was but following precedent established in Plymouth Colony in 1636, in which year our earliest pension act provided that any man permanently injured in military service in defense of the colony should be provided for during life, at public expense. In 1835 the office of Commissioner of Pensions was created, and the bureau was made subordinate to the Departments of the Army and the Navy. In 1849 it was transferred to the newly created Department of the Interior.

There has been a great deal of legislation on the principles and practice of granting pensions; few Congresses have met without discussion of the subject, and more than a dozen general schemes of pensioning deserving persons have been at different times on our statute books. After the Civil War the pension list grew to enormous proportions; legislation on the subject then was more important than at any other time in our history. There were two acts passed at that period—in 1862 and in 1864. The first granted $8 to $30 per month for disabilities contracted in military or naval service dating from March, 1861. Provision was made, too, for pensioning widows, also children of deceased soldiers under sixteen years of age. The law of 1864 provided fixed rates of payment for specific disabilities. By later amendments this plan was developed in great detail, for it gave very general satisfaction. As illustrations, $25 per month was allowed at first to any person who suffered the loss of both hands or both feet, or the sight of both eyes; as finally amended, sums ranging from $8 to $100 per month were specified for such disabilities.

In 1900 the most recent changes in the pension laws were made, following the brief war with Spain. It was then decreed that any person who had served for at least ninety days in the army or navy and had suffered permanent disability not traceable to careless or vicious habits should be granted pensions ranging from $6 to $12 per month, according to the character of the injury. By Executive order of 1903, provision for which was made in the law of 1900, President Roosevelt placed upon the pension list every soldier and sailor who had reached the age of 62 years. Over three and one-quarter billion dollars had been paid to pensioners of the Civil War up to the beginning of the year 1907.

Age Disability Pensions. Any person who served ninety days or more in the army or navy of the United States in the Civil War, or sixty days in the war with Mexico, who has reached the age of 62 years or over, shall be entitled to receive a pension as follows: In case such person has reached the age of 62 years, $12 per month; 70 years, $15; 75 years or over, $20.

Rank in service is not considered in applications filed under this act.

People's Party, a political organization most familiarly known in its early history as the Populist party. It was organized in 1891 by and for the interests of farmers and working men, and grew under skillful political leadership with great rapidity. In 1892 the Farmers' Alliance and the Knights of Labor affiliated with the movement, and that year, in the Presidential election, with James B. Weaver of Iowa as its nominee, the party secured twenty-two electoral votes and elected several Representatives in Congress. In 1896 the Democratic party pledged itself to many reforms demanded by the People's organization and drew away from the latter many votes. The Democratic candidate, William J. Bryan, was endorsed by the People's party, but an objecting minority withdrew its support from a part of the Democratic ticket. While not opposed to Bryan, they would not endorse his running mate, and in another ticket nominated Bryan for President and Thomas E. Watson of Georgia for Vice-President. The vote on election day showed a People's party total of only 113,258, against over a million four years before. The party bids fair to be absorbed by the so-called radical wing of the Democratic organization.

The platforms of the People's, or Populist, party have demanded free coinage of silver; the issue of paper money to be loaned on farm security at two or three per cent per annum; the abolition of National banks; Government ownership of such public service utilities as railroads, telegraphs and telephones; prohibition of alien ownership of land, and a graduated income tax. See Political Parties in the United States.

Peremptory Challenge. See Challenge.

Perjury is the violation of a solemn promise made in a judicial inquiry. If a person violates an oath lawfully administered in a judicial proceeding, by swearing falsely to facts material to the issue, he is a perjurer. The penalty for false swearing varies in the different States, but in all of them it is punishable by fine or imprisonment, usually the latter. Before

an accused person can be convicted of perjury, it must be proved that the deception was wilful; that the falsehood was asserted with deliberation and consciousness of the nature of the statement. An error in judgment, as the estimated value of certain property, if announced as the best knowledge and belief of the witness, is not a violation of an oath. In some cases, however, a false statement of opinion may become perjury. See OATH; SUBORNATION OF PERJURY.

"Pernicious Activity" is an expression given currency by President Cleveland, an adroit maker of phrases, in 1886, in a letter addressed to the heads of Executive departments of the Government. It refers to the objectionable habit of office-holders who, by reason of their powerful positions, endeavor to control political affairs in their home States. Mr. Cleveland believed that the first and only duty of a public servant was to serve his masters, not to control them. His letter included the following forceful sentence: "Office-holders are neither disfranchised nor forbidden the exercise of political privileges; but their privileges are not enlarged, nor is their duty to party increased to pernicious activity, by office-holding." The phrase is frequently quoted today and bids fair to endure in discussions on civil service reform.

Perquisites of Office are profits or pecuniary gains which legally may be secured by an official in addition to the amount fixed as his salary. It sometimes happens that a person, because of his official position, may be able to render service entirely apart from the duties of his office, and in a manner allowed, if not prescribed, by law. As an example, some officials are paid a nominal salary to serve in offices of record; the salaries are large for the service actually required by the State; the law directs them to perform other duties for the general public, in the line of their official relations, and for such service fees are collected. These fees are "perquisites of office." The term has no connection with "graft" [q. v.].

Persona Grata, in diplomatic relations between two countries, a representative who is personally acceptable to the Government to which he is accredited.

Persona non grata signifies, when applied to a diplomatic representative, that he is personally unacceptable to the Government to which he is accredited.

Every Government, before announcing an important appointment in the foreign service, makes private but more or less official inquiry as to the acceptability of the person whom it is expecting to name. At the beginning of service, therefore, a man may know that he is welcome in the official circles of the country to which he is accredited; but if in the later conduct of public affairs he is not discreet, the home Government may be notified that his recall is desired—that he is *persona non grata.* See DIPLOMATIC SERVICE.

Personal Liberty, the lawful right of a person to come and go at pleasure; the exercise of one's rights as a free moral agent. The personal liberty of anyone extends just to the point where he interferes with the acknowledged rights of any other person; there they necessarily end.

Personal Liberty Laws. In the days before the Civil War, personal liberty laws were State statutes relating to the question of slavery; they voiced Northern opposition to the enforcement of the Fugitive Slave Laws of the nation, and sought to secure to escaping slaves the privilege of the writ of habeas corpus and trial by jury. Today by personal liberty is meant the right of a person to such enjoyment as pleases his senses and does no direct injury to any other person. Possibly only three National questions at the present time give rise to discussions on personal liberty; in the order of probable importance these are the liquor question—high license, low license, local option, or prohibition; Sunday observance; the sale of cigarettes. The advocates of liberality in one of these directions usually champion all three; they constantly demand the enactment of laws granting the utmost freedom of action to the individual. However, personal liberty is sanctioned by law less today than ever before. See FUGITIVE SLAVE LAWS; PERSONAL LIBERTY.

Personal Property includes all of a person's wealth which is in goods easily portable; everything of value not in the form of lands and appurtenances thereto.

Personal Rights, those limited rights and privileges which a person may claim for himself without consulting the wishes of any other person. It is an error to say that one may do absolutely as he pleases; in the enjoyment of unlimited personal rights a man might so conduct himself that his neighbor's rights would be violated. The law on the subject may be stated in few words: the rights of any person extend just to the point where they infringe on the rights of some other person; beyond that point liberty of action becomes an offense.

Pet Banks were those banks which officers of the Treasury Department were accused of favoring above others when depositing public money. The term has lost most of its significance since the days of Andrew Jackson, against whose subordinates the charge was first made. Public money is now kept in the Treasury of the United States instead of being distributed among State banking institutions; banks can get possession of no part of it except as they deposit acceptable security in exchange. The only way in which an officer of the Government can now show substantial friendship for a banking house is by giving it such advance information as he may possess through his official connections relative to pending matters affecting financial interests. A bank thus favored would be called a "pet bank," if the details of such a scandal reached the public, and the action would constitute an offense against the National sense of honor and fairness.

Petition, RIGHT OF. See RIGHT OF PETITION.

Petition of Right. An act of the Parliament of England passed in 1628 in defense of the people and against the king Charles I is of importance to students of American government as showing the development of some of our political principles. In that year the Parliament drew up a "Petition of Right" and presented it to the king with such a demonstration of earnestness that he signed it, although much against his will. It contained a provision declaring that no taxes should be levied by imperial authority without the consent of Parliament, neither should any subject of the King be tried by court martial [q. v.] nor be imprisoned except by due process of law. These

liberties had been given to England by King John in Magna Charta [q. v.], in 1215, but had been so ruthlessly disregarded by succeeding monarchs that a confirmation of them was deemed necessary. This Petition of Right is one of the steps by which English speaking people have secured the fullest measure of civil liberty.

Petit Jury. Another name for this body is petty jury. It is composed of twelve men, chosen in a manner carefully prescribed in each State by statute, and is called to serve in County courts or Circuit courts in the trial of civil and criminal cases. See TRIAL BY JURY.

Petit Larceny. See LARCENY.

Petty Officer, a non-commissioned officer in the navy of the United States, including all grades of service between the rank of warrant officer and the grade of seaman. A petty officer receives his appointment, not from the Department at Washington, but from his commanding officer, for a period of one year. This is a probationary state; at the end of twelve months, if his commanding officer so recommends, he is advanced to a permanent appointment, this time at the hands of the Bureau of Navigation, gradually working up through the four grades of petty officers—three grades of gunner's mate, and, finally, chief petty officer. The pay ranges from $30 per month, for the lowest class, to $70 per month, for chief petty officer. The Government supports four schools for the training of this class of naval recruits—at Newport, a gunner's school for practice with mines, torpedoes and electrical devices; at Washington, a gunner's school for machine work; at New York, a yeoman's school; at Norfolk, a fireman's school.

Philippines, OATH OF THE. See OATH.

Pilgrims, COMPACT OF THE. See COMPACT OF THE PILGRIMS.

Piracy. Blackstone, in his *Commentaries,* gives the definition of piracy as "committing those acts of robbery and depredation upon the high seas, which, if committed upon land, would amount to felony there." The years have changed the meaning but little. Upon a passenger steamer on the

ocean a case of robbery of one passenger by another would not constitute piracy, as the term is now understood, but simply a felony under the laws of the country of the accused. A hundred years ago ocean travel was much restricted and vessels sailed slowly; all the conditions of travel were favorable to piratical expeditions. But today a pirate craft could find but few safe hiding places which could not be penetrated by gunboats within a few hours. The punishment of pirates, upon trial and conviction, is death, whether the enterprise in which they were engaged when caught was successful or otherwise. It is sufficient in the eyes of the law that the outlaws jeopardized the lives of law-abiding people, and that, in extremity, they would not have hesitated to sacrifice them.

Pivotal State. In a Presidential election any State upon whose electoral vote [q. v.] the result of the contest may depend is called a pivotal State. In not a few elections New York has enjoyed this distinction, it having been until quite recently the general opinion that "as New York goes, so goes the Union." Party lines are not so tightly drawn now as formerly; many people vote independently whose fathers voted straight tickets all their lives. This condition in politics makes predictions unreliable and one hears less and less of "pivotal States."

Platform. In politics a platform is the name given to the public declaration of principles in which a political party believes; on the representations printed in the platform it asks the suffrage of voters. The platform is always prepared in the convention which nominates the ticket to be voted upon at a coming election. It is the work of a specially appointed platform committee, appointed from the delegates, with the exception that the whole body of delegates composing the convention may alter it by amendment before they vote upon its adoption. The platform is always adopted before nominations are made, on the theory that no man not in sympathy with the expressed principles of the party should accept a nomination for any office.

Plurality. The larger portion, or the greater of two numbers, is called a plurality. In elections, if one candidate receives

more votes than any other candidate, he has a plurality of the votes cast; if he receives more than the combined votes of all others, he has a majority. To illustrate: In a certain election A, B, C, and D are contestants for an office; A receives 1,500 votes; B, 1,200; C, 1,000; D, 300; total, 4,000. A receives a plurality; no man receives a majority. To receive a majority, one candidate must have polled 2,001 votes. If the law under which the election is held does not prescribe that a majority is required to elect, then A gains the honor. In almost every case a plurality only is required. See MAJORITY.

Plymouth Colony, a company of devout English Separatists who left their native land in the autumn of 1620 to plant in a new country a Government of religious and political freedom. On November 21 the men of the party signed articles of agreement for the administration of the new colony and on December 21 the party landed on what has since been known as Plymouth Rock. Plymouth existed as a separate colony until 1691, when it was merged with Massachusetts Bay Colony into the new province of Massachusetts. See COMPACT OF THE PILGRIMS.

Plymouth Declaration of Rights. In 1636 the colony of Plymouth revised its articles of government and adopted a body of laws called "The General Fundamentals." The first article declared "That no act, imposition, law or ordinance be made or imposed upon us at present or to come but such as shall be enacted by the consent of the body of freemen or associates, or their representatives legally assembled; which is according to the free liberties of the freeborn people of England." The second article included this: "And for the well-governing of this colony it is also ordered that there be free elections annually of governor, deputy governor and assistants, by the vote of the freemen of this corporation." Herein was the first formal declaration of the right of the people of America to self-government.

Pocket Veto. The Constitution, in Article I, Section 7, Clause 2, places upon the President the obligation of prompt action on all bills sent to him by Congress for his approval or veto. He must sign them or return them to Congress with his reason

for withholding assent. One provision is made, however, by which it is impossible to embarrass the Executive by pouring upon him a large number of bills near the close of a session, leaving him little time to examine into their merits. If a bill is presented to him within ten days of the session's end he may refuse to act upon it. Simply by ignoring it or "carrying it in his pocket" while undecided as to the proper action, it is killed. This form of denying approval is called a "pocket veto." See VETO.

Police Power. This term is used to designate the inherent right of the several States to prescribe by legislation such rules of conduct for their citizens as they deem proper and necessary, each for itself without regard for the others, provided no law for this purpose violates any right guaranteed by the Constitution of the State or of the United States. No exact definition or limitation of the term has ever been made, in consequence of which fact statutes and interpretations differ widely. State Constitutions usually delegate large police powers to municipalities, which authority finds expression in city and village ordinances. Examples of police power are the regulation of public health, fire regulations, building limitations, and the licensing of animals, such as cows and dogs.

Political Assessments are levies of money made upon office-holders by managers of political parties. These assessments have been justified on the ground that money is necessary to conduct campaigns and preserve the party organization—a term frequently used for "machine" [q. v.]—to which political appointees usually owe their positions. It is argued that these officials should pay a small per cent of their salaries, when it is needed, to strengthen the party and thus make more secure their places in public office. The civic danger underlying such assessments is obvious. In many cities levies of this kind are prohibited, especially in the departments of fire and police, which are kept out of politics as much as possible. In various States and in the Executive departments of the National Government, nearly all employes are made secure in their positions by civil service laws, so they may safely ignore

political demands of every kind. Over one hundred thirty thousand employes of the departments at Washington have been placed under the protection of the Civil Service Commission. See CIVIL SERVICE REFORM and CIVIL SERVICE COMMISSION.

Political Bargain. A "bargain" in politics usually implies dishonest and corrupt arrangements between contending factions, although there may be cases when trades are possible which are not subversive of good government. A political bargain, as generally understood, is a secret and corrupt trade, in which a politician promises to give his support to a certain measure in return for help on another occasion when he will need votes or influence to further projects he has in view. A shrewd and corrupt political worker may be able to control votes in sufficient number to insure the success or defeat of a measure. It will be noted that in reaching an understanding the traders do not consider, necessarily, the merits or demerits of the propositions affected. "Bargains" are usually made to strengthen, possibly in a roundabout way, the personal political fortunes of the principals in the deals.

Political Boss. See Boss.

Political Division of Congress. Since 1880 the number of Republicans, Democrats and Independents in Congress is given in the following table:

Congress.	Years.	Senate.			House.			Congress.	Years.	Senate.			House.		
		Rep.	Dem.	Ind.	Rep.	Dem.	Ind.			Rep.	Dem.	Ind.	Rep.	Dem.	Ind.
46th...	1879-81	32	44	...	129	148	16	54th...	1895-97	42	39	5	246	104	7
47th...	1881-83	37	38	1	146	138	10	55th...	1897-99	46	34	10	206	134	16
48th...	1883-85	40	36	...	124	198	1	56th...	1899-01	53	26	11	185	163	9
49th...	1885-87	42	34	...	120	204	1	57th...	1901-03	56	29	3	198	153	5
50th...	1887-89	39	37	...	153	168	4	58th...	1903-05	58	32	...	206	174	2
51st ...	1889-91	39	37	...	166	159	...	59th...	1905-07	58	32	...	250	136	...
52d ...	1891-93	47	39	2	88	236	8	60th...	1907-09	61	29	...	222	164	...
53d ...	1893-95	38	44	3	126	220	8	61st ...	.....	...	...	...	...	...	...

Political Fences. See MENDING FENCES.

Political Offense, an action of a public nature, inimical to the existing Government or Constitution of the country in which the deed is committed. Examples of such offenses are treason, political conspiracy, sedition and rebellion. Ordinary

infractions of the laws are covered by extradition treaties between all of the Great Powers, and the guilty parties are turned over to the proper Governments for punishment. With respect to political offenses, however, the nations retain the right to pass upon requests for extradition as they arise. For instance, the United States has repeatedly refused to return to Russia fugitives from that country who are wanted at home for punishment for various forms of political activity.

Political offenders in the United States are tried and punished under the laws of Congress, but instances of this kind are rare in our history.

Political Parties in the United States. Before the Revolutionary War the American colonists were allied with either the Whig or Tory party—the former, including the Liberty Men, Sons of Liberty, and Patriots, advocating independence, and the latter upholding royalty and denouncing the belligerent attitude of their neighbors. At the close of the war the Whigs split into factions called the Particularists and the Strong Government party, the former favoring State sovereignty and a confederation, while the latter demanded a central Government and a strong Constitution. In 1787 the Particularists became Anti-Federalists, and were opposed to the adoption of the Constitution; the Strong Government faction advocated prompt ratification of that document, and were known as Federalists. The history of our National political parties begins here, and the Federalists and Anti-Federalists fought out the early issues confronting the new republic. From them descend the two most prominent parties of today, but with issues changed many times, to meet changed conditions. Washington, John Adams, Hamilton, Madison and Jay were the principal supporters of the Federal party. Jefferson will always be remembered as the brilliant leader of the Anti-Federals, whose name changed in 1793 to Republican, later to Democratic-Republican, and finally to the Democratic party (1828). The Federals, in turn, changed their name with changing issues to the Whigs (1834–1855) and then to the Republican party, by which term they have been known since

the Presidential campaign of 1856, when Fremont was their first nominee for the Presidency.

The dominant parties, Republican and Democratic, or by whatever other names they have been known in the process of development, have elected every President of the United States. They have not shared the political field to the exclusion of all other creeds, however. A large number of parties, some developing considerable strength, have been organized as protests against the existing order of things, and have contested the field with their formidable rivals. Wars, periods of financial depression and the like, have given opportunity for the exploitation of new political theories, but no new party has endured and grown to large proportions. The Republicans and Democrats have met the expectations of the majority of the voters of the nation by meeting squarely most of the new issues. Today the organizations which appear with prominent issues not met in the strong parties are the Prohibitionists, the Socialists, and the United Labor party.

The list of political parties, great and small, which have contested for supremacy, is as follows:

Abolitionists,
American,
American Whigs,
Anti-Federalist,
Anti-Masonic,
Anti-Monopoly,
Anti-Renters,
Anti-War Democrats,
Barnburners,
Bucktails,
Conscience Whigs,
Cotton Whigs,
Democratic,
Democratic-Republican,
Equal Rights,
Farmers' Alliance,
Federalist,
Free-Soil,
Hunkers,
Know-Nothing,
Liberal Republican,
Liberty,
Loco-Focos,
National Republican,
Peoples',
Prohibition,
Republican,
Silver Republican,
Socialist,
United Labor,
Whig,
Woman's Suffrage.

Each party above named is discussed in its regular alphabetical order in this work. See, also, PRESIDENTS, POLITICS OF THE; POLITICAL DIVISION OF CONGRESS.

Politics of the Presidents. See PRESIDENTS, POLITICS OF THE.

Poll, the head of a person; hence, a figure of speech meaning a person.

Poll List. A list of voters of a precinct [q. v.] who are entitled to vote at an election.

Poll Tax. See CAPITATION TAX.

Polling a Jury, a court process by which each individual juror in a case at law is required to state his verdict openly.

Polling Place. See POLLS.

Polls, the place designated by local authority for the reception and counting of votes at an election; called, also, polling place.

Poor Man's Dollar. The silver dollar has been so called by politicians who have sought to win support for the free coinage of silver. The assumption left in the mind of the uninformed was that if the Government instituted free coinage of this metal, money would necessarily be more plentiful, owing to the great quantity of silver that is always available. The designation of silver as the "poor man's dollar" is not in accordance with the facts, if one is to judge by the influence of the United States coinage laws from the time the money question became an important issue. The country is now committed to the gold standard, and this phrase will not appear in politics again until another effort is made to revive the silver question. See COINAGE; FREE COINAGE; BIMETALLISM.

Popular Vote for Presidents. In the following paragraphs the total Presidential vote from 1824 to 1904, inclusive, is given, together with the percentage of the vote each candidate received:

1824—J. Q Adams had 105,321 to 155,872 for Jackson, 44,282 for Crawford and 46,587 for Clay. Jackson over Adams, 50,551. Adams less than combined vote of others, 141,420. Of the whole vote Adams had 29.92 per cent, Jackson 44.27, Clay 13.23, Crawford 12.58. Adams elected by House of Representatives.

1828—Jackson had 647,231 to 509,097 for J. Q. Adams. Jackson's majority, 138,134. Of the whole vote Jackson had 55.97 per cent, Adams 44.03.

1832—Jackson had 687,502 to 530,189 for Clay and 33,108 for Floyd and Wirt combined. Jackson's majority, 124, 205. Of the whole vote Jackson had 54.96 per cent, Clay 42.39 and the others combined 2.65.

1836—Van Buren had 761,549 to 736,656, the combined vote for Harrison, White, Webster and Mangum. Van Buren's majority, 24,893. Of the whole vote Van Buren had 50.83 per cent, and the others combined 49.17.

1840—Harrison had 1,275,017 to 1,128,702 for Van Buren and 7,059 for Birney. Harrison's majority, 139,256. Of the whole vote Harrison had 52.89 per cent, Van Buren 46.82 and Birney .39.

1844—Polk had 1,337,243 to 1,299,068 for Clay and 62,300 for Birney. Polk over Clay, 38,175. Polk less than others combined, 24,125. Of the whole vote Polk had 49.55 per cent, Clay 48.14 and Birney 2.31.

1848—Taylor had 1,360,101 to 1,220,544 for Cass and 291,263 for Van Buren. Taylor over Cass, 139,557. Taylor less than others combined, 152,706. Of the whole vote Taylor had 47.36 per cent, Cass 42.50 and Van Buren 10.14.

1852—Pierce had 1,601,474 to 1,380,576 for Scott, 156,149 for Hale and 1,670 for Daniel Webster. Pierce over all, 63,079. Of the whole vote Pierce had 50.90 per cent, Scott 44.10 and Hale 4.97.

1856—Buchanan had 1,838,169 to 1,341,264 for Fremont and 874,534 for Fillmore. Buchanan over Fremont, 496,905. Buchanan less than combined vote of others, 377,629. Of the whole vote Buchanan had 45.34 per cent, Fremont 33.19 and Fillmore 21.57.

1860—Lincoln had 1,866,352 to 1,375,157 for Douglas, 845,763 for Breckenridge and 589,581 for Bell. Lincoln over Douglas, 491,195. Lincoln less than Douglas and Breckenridge combined, 354,568. Lincoln less than combined vote of all others, 944,149. Of the whole vote Lincoln had 39.91 per cent, Douglas 29.40, Breckenridge 18.08 and Bell 12.61.

1864—Lincoln had 2,216,067 to 1,808,725 for McClellan (eleven States not voting, viz.: Alabama, Arkansas, Florida, Georgia, Louisiana, Mississippi, North Carolina, South Carolina, Tennessee, Texas and Virginia). Lincoln's majority 407,342. Of the whole vote Lincoln had 55.06 per cent, and McClellan 44.94.

1868—Grant had 3,015,071 to 2,709,613 for Seymour (three States not voting, viz.: Mississippi, Texas and Virginia). Grant's majority, 305,458. Of the whole vote Grant had 52.67 per cent and Seymour 47.33.

1872—Grant had 3,597,070 to 2,834,079 for Greeley, 29,408 for O'Conor and 5,608 for Black. Grant's majority 729,975. Of the whole vote Grant had 55.63 per cent, Greeley 43.83, O'Conor .15 and Black .09.

1876—Hayes had 4,033,950 to 4,284,885 for Tilden, 81,740 for Cooper, 9,522 for Smith and 2,636 scattering. Tilden's majority over Hayes, 250,935. Tilden's majority of the entire vote cast, 157,037. Hayes less than the combined vote of others 344,833. Of the whole vote cast Hayes had 47.95 per cent, Tilden 50.94, Cooper .97, Smith .11, scattering .03.

1880—Garfield had 4,449,053 to 4,442,035 for Hancock, 307,306 for Weaver and 12,576 scattering. Garfield over Hancock, 7,018. Garfield less than the combined vote for others, 313,864. Of the popular vote Garfield had 48.26 per cent, Hancock 48.25, Weaver, 3.33, scattering .13.

1884—Cleveland had 4,911,017 to 4,848,334 for Blaine, 151,809 for St. John, 133,825 for Butler. Cleveland had over Blaine 62,683. Cleveland had 48.48 per cent, Blaine 48.22, St. John 1.56, Butler 1.33.

1888—Harrison had 5,440,216 to 5,538,233 for Cleveland, 249,937 for Fisk, 141,105 for Streeter, 2,808 for Cowdrey, 1,591 for Curtis and 9,845 scattering. Harrison had 98,017 less than Cleveland. Of the whole vote Harrison had 47.83 per cent, Cleveland 48.63, Fisk 2.21 and Streeter 1.28.

1892—Cleveland had 5,556,918 to 5,176,108 for Harrison, 264,133 for Bidwell, 1,041,028 for Weaver and 21,164 for Wing. Cleveland had over Harrison 380,810. Of the whole vote Cleveland had 45.73 per cent, Harrison 42.49, Bidwell 2.17 and Weaver 8.67.

1896—McKinley had 7,104,779, Bryan 6,502,925; Levering 132,007; Bentley, 13,969; Matchett, 36,274; Palmer, 133,148. McKinley had over Bryan 601,854 votes. Of the whole vote McKinley had 50.49 per cent and Bryan 46.26.

1900—McKinley had 7,217,810 to 6,357,826 for Bryan, 208,791 for Woolley, 50,218 for Barker, 87,769 for Debs, 39,944 for Malloney, 518 for Leonard and 5,098 for Ellis. McKinley over Bryan, 859,984. McKinley's majority over all, 367,646. Of the whole vote McKinley received 51.66 per cent and Bryan 45.51 per cent.

1904—Roosevelt had 7,620,670 to 5,080,207 for Parker, 258,205 for Swallow, 401,380 for Debs, 111,373 for Watson, 41,330 for Corrigan and 830 for Holcomb. Roosevelt over Parker, 2,540,463. Roosevelt's majority over all, 1,727,345. Of the whole vote Roosevelt received 57.13 per cent and Parker 38 per cent.

Of the Presidents, Adams, federalist; Polk, Buchanan and Cleveland, democrats; Taylor, whig; Lincoln (first term), Hayes, Garfield and Harrison, republicans, did not, when elected, receive a majority of the popular vote. The highest percentage of the popular vote received by any president was 57.13 for Roosevelt, republican, in 1904; the lowest, 39.91 for Lincoln, republican, in 1860 Buchanan, democrat, next lowest, with 45.34.

Population. Prior to the Civil War the word *population*, applied to a State, did not include the total number of human beings resident within its borders. Article I, Clause 3, of the Constitution, declared that the number of people in the various States on which the number of Representatives should be based and which should also be the basis of any levy of direct taxes should "be determined by adding to the whole number of free persons, including those bound to service for a term of years and excluding Indians not taxed, three-fifths of all other persons." "All other persons" referred to slaves only. Thus, the official population of a State included all free persons, those under apprenticeship, Indians who paid taxes, and three-fifths of the negroes.

The Fourteenth Amendment, proposed in 1866 and declared a part of the Constitution in July, 1868, changed the manner of determining the official population of a State. Section 2 reads as follows:

"Representatives shall be apportioned among the several States according to their respective numbers, counting the whole number of persons in each State, excluding Indians not taxed. * * * "

According to the census of 1900, the population of the country, by States, was as follows:

State or Territory.		1900.	State or Territory.		1900.
Alabama	18	1,828,697	South Carolina	24	1,340,316
Arkansas	25	1,311,564	South Dakota	37	401,570
California	21	1,485,053	Tennessee	13	2,020,616
Colorado	31	539,700	Texas	6	3,048,710
Connecticut	29	908,420	Utah	40	276,749
Delaware	42	184,735	Vermont	38	343,641
Florida	32	528,542	Virginia	17	1,854,184
Georgia	11	2,216,331	Washington	33	518,103
Idaho	43	161,772	West Virginia	28	958,800
Illinois	3	4,821,550	Wisconsin	14	2,069,042
Indiana	8	2,516,462	Wyoming	44	92,531
Iowa	10	2,231,853			
Kansas	22	1,470,495	The States	...	74,610,523
Kentucky	12	2,147,174			
Louisiana	23	1,381,625	Alaska	7	63,592
Maine	30	694,466	Arizona	6	122,931
Maryland	26	1,188,044	District of Columbia	3	278,718
Massachusetts	7	2,805,346	Hawaii	5	154,001
Michigan	9	2,420,982	Indian Territory	2	392,060
Minnesota	19	1,751,394	New Mexico	4	195,310
Mississippi	20	1,551,270	Oklahoma	1	398,331
Missouri	5	3,106,665	Persons in service of the United States stationed abroad	...	91,219
Montana	41	243,329			
Nebraska	27	1,066,300	The Territories	...	1,604,943
Nevada	45	42,335			
New Hampshire	36	411,588			
New Jersey	16	1,883,669			
New York	1	7,268,894			
North Carolina	15	1,893,810			
North Dakota	39	319,146			
Ohio	4	4,157,545			
Oregon	35	413,536		...	
Pennsylvania	2	6,302,115	United States	...	76,303,387
Rhode Island	34	428,556	Per cent. of gain over 1890	...	21

Note—The narrow column under each census year shows the order of the States and Territories when arranged according to magnitude of population. During the decade several Territories have become States.

The next National census will be taken in 1910; it will be verified and published officially during the latter weeks of that year. See Census.

Populist Party. See People's Party.

Porcelaine Currency, another name for wampum [q. v.].

Port of Entry, one of the places designated by the laws of the United States where vessels bringing goods from foreign countries must unload their cargoes. At each port of entry the Government has established a customhouse [q. v.] for the receipt of imports. The officers of any vessel carrying merchandise from a foreign port may be convicted of smuggling [q. v.] if they attempt to bring imports into the United States except through a port of entry.

Posse Comitatus, a force of men, nominally all male residents of a county, whom the Sheriff, the county peace officer, may call to assist him in an emergency properly to discharge

his duties. Youths and infirm persons only are exempt from service on a posse; no able-bodied man may refuse.

Postage, the charge levied by a Government for carrying mail matter. In no country of the world is the postal service in the hands of private enterprises; caring for the postal needs of the country is a Government function.

The rates of postage from the organization of the Post-office Department in September, 1789, until 1816, were as follows: For a letter composed of a single piece of paper, to travel a distance of less than 40 miles, 8 cents; under 90 miles, 10 cents; under 150 miles, 12½ cents; under 300 miles, 17 cents; under 500 miles, 20 cents; and over 500 miles, 25 cents. In 1816 the rates were changed by law of Congress so that the charge for a single letter not over 30 miles was 6¼ cents; under 80 miles, 10 cents; under 150 miles, 18¾ cents; over 400 miles, 25 cents. An additional rate was charged for each added piece of paper. If a letter weighed an ounce, the above charges were multiplied by 4.

With the establishment of railroads, the express companies entered into competition with the Postal Department and carried bulky letters at a much lower rate than the Government would take them. In 1836 Edward Everett proposed in Congress various measures for reducing postage, but not until 1843 were results reached from the discussion. In that year various State Legislatures took the matter up and instructed their representation in Congress to take immediate action looking to a reduction in rates. In 1845 the following schedule was established: For a letter not exceeding ½ ounce, to be carried less than 300 miles, the charge was 5 cents; over 300 miles, 10 cents. An additional rate for every added half-ounce or fraction thereof was charged.

In the First Congress efforts were made to increase the rate on letters, but without success. However, on newspapers and magazines the rate was raised and prepayment in every case was required. In 1851 the next change in the law was made, and it provided for the following rates: For a letter of ½ ounce, to go less than 3,000 miles, 3 cents, if postage was

prepaid; if not prepaid, but collectable from the one to whom it was addressed, 5 cents. If the distance was over 3,000 miles, 5 cents was charged if prepaid, or 12 cents, collectable. The next year the law was modified; letters sent over 3,000 miles, not prepaid, were charged 10 cents.

In 1855 the rate on single inland letters was reduced to 3 cents for all distances under 3,000 miles, and 10 cents for all greater distances. It was in this year that the law was passed demanding prepayment of all inland postage. In 1863 the rate was made uniform at 3 cents on all inland letters not exceeding a half-ounce in weight, regardless of distance carried, and in the same year arrangements were perfected for the registration of valuable letters and very small packages. The registration fee was fixed at 15 cents, but in 1874 reduced to 8 cents. The next year it was raised again, to 10 cents, but soon restored to 8 cents, where it remains today.

In February, 1883, the last legislation on postal rates fixed the charge for single letters at two cents per ounce or fraction thereof. The rate for merchandise is one cent per ounce, with the provision that a single package may not weigh over four pounds.

Postage Stamp. In the early days of the operation of the Postoffice Department, postage stamps were unknown in this country. It was not necessary to prepay postage on letters; the charge could be collected from the person to whom the letter was addressed. However, when postage was prepaid, the fact was endorsed on the envelope or wrapper by the postmaster at the office of mailing. In 1847 the adhesive stamp was introduced, and this greatly simplified the operations of the Postoffice Department. In 1855 the use of adhesive stamps on all letters was required. See POSTAGE.

Postal Service, COLONIAL. At the house of a resident of Boston in 1639 a postoffice was established "for all letters which are brought from beyond the seas or are to be sent thither." It was purely local. In 1657, the Virginia Assembly passed an act for the prompt transmission of official letters from plantation to plantation, and laid a penalty of one hogshead of

tobacco for each default. This was of no benefit to private individuals. In 1672 the Government of New York arranged for a monthly mail to Boston, and four years later the authorities of Massachusetts established a postoffice in Boston for communication with the other colonies. The first Parliamentary act of the English colonies of America for the establishment of a postoffice was passed in 1692, and a royal permit was issued to a private contractor to conduct the postal service. He was to transport letters and small packages "at such rates as the planters should agree to give." The opportunity thus offered inspired the colonies to establish postal systems, but these were very imperfect. In 1710 the above permit expired and Parliament then extended the English postal system to all her colonies in America. The rate on a single letter from London to New York was one shilling. Four pence additional was added for each 60 miles beyond New York. In 1755 Benjamin Franklin was appointed Deputy Postmaster-General for all the colonies. It was a comparatively lucrative office and Franklin held it for twenty-one years, when in 1774 he was dismissed for his active sympathy with the colonists in their quarrel with the mother country. After this for a time the colonial postal system was in great confusion, but in 1775, when royal power was largely ignored in the colonies, the Continental Congress appointed Franklin Postmaster-General. See Postal Service, United States.

Postal Service, United States. Benjamin Franklin resigned the position of Postmaster-General, which he held under the Continental Congress, in 1776. At that time the whole number of postoffices in the new nation was 75. Soon after the meeting of the first session of the First Congress, the Postmaster-General suggested the importance of a thorough reorganization of the Postoffice Department. The subject was discussed for three years, and in 1792 the present system in all essential particulars was adopted. The postal service has grown to almost immeasurable proportions. There are now in the United States more than 80,000 postoffices, divided into four general classes. The offices of the first class are those whose

gross receipts exceed $40,000 per annum; the salaries of these postmasters range from $3,000 to $6,000. Second class postoffices are those with receipts from $8,000 to $40,000, and these postmasters receive from $2,000 to $2,900 per annum. Third class offices are those with receipts from $1,900 to $8,000, and these postmasters receive from $1,000 to $1,900 per annum. Postmasters of the first, second and third class receive their appointment from the President, with the consent of the Senate. The fourth-class postmasters are those in postoffices whose receipts are less than $1,900 per year; they are not paid salaries, but receive a percentage on all postage stamps cancelled on outgoing mail. If the commissions of a fourth-class postmaster amount to $1,000 per year, then his office is placed among those of the third class. The fourth-class postmasters receive their appointment through the office of the Postmaster-General. They have not yet been placed among civil service appointees, and are therefore subject to removal at the end of any four-year term for which they are appointed. See POSTAGE; POSTOFFICE DEPARTMENT.

Postmaster. See POSTAL SERVICE, UNITED STATES.

Postmaster-General, the chief officer of the Postoffice Department, and since 1845 a member of the Cabinet of the President. Benjamin Franklin was "Postmaster-General of the United Colonies," by appointment of the Continental Congress in 1775. He controlled the seventy-five postoffices in the United States at that day. The Postoffice Department dates from the organization of the Federal Government, although no special statute ever was passed stating the name by which it should be officially known. That is the reason the Postmaster-General, until courteously invited by President Jackson, was not given a seat at the Cabinet councils.

There are four chief assistants of the Postmaster-General, appointed by the President and confirmed by the Senate. Their titles and duties are as follows:

The *First Assistant Postmaster-General* has general charge of postoffices and postmasters and their appointment and instruction; the adjustment of salaries of postmasters; the city free delivery system.

The *Second Assistant Postmaster-General* has charge of the transportation of all mails.

The *Third Assistant Postmaster-General* has charge of the finances of the department; provides stamps, stamped envelopes, and postal cards; supervises the money order system and the registered letter system; and controls the business relating to rates of postage and classification of mail matter.

The *Fourth Assistant Postmaster-General* has charge of the rural free delivery system, and of the treatment of undelivered mail matter; supplies postmasters with blanks, stationery, etc.; and has charge of making post-route maps.

The salary of the Postmaster-General was $2,000 in 1792, $3,000 in 1799, $4,000 in 1819, $6,000 in 1827, $8,000 in 1853, $10,000 in 1873, $8,000 in 1874, and in 1906 a law was passed raising it to $12,000, in common with his fellow members of the Cabinet.

Post Mortem, a Latin term meaning *after death,* applied to an official examination of a corpse to determine the cause of death. Such an inquiry is always instituted by the Coroner [q. v.] of a county, in case there is any doubt of death occurring from natural causes. It is customary for the Coroner to view the body of every person who dies suddenly, even if no foul play is suspected. If a deceased person has been illegally dealt with, it is a public necessity that the facts be disclosed in an official inquiry, that the guilty party or parties may be punished. For such purpose a jury of six persons is selected by the Coroner, and to that official their report is made; the Coroner, in case circumstances point to foul play, reports to the Prosecuting Attorney, which latter official sets the machinery of the law in motion to apprehend alleged malefactors. Unless the public authorities request an autopsy, a physician has no legal right to make such an examination, except by consent of the nearest surviving relative.

Postoffice. See Postal Service.

Postoffice Department. Before Plymouth Colony was twenty-one years old, there was established by private enterprise a crude system of mail service "for all letters which are brought from beyond the seas or are to be sent thither." In

1672 a monthly mail was despatched between New York and Boston. In 1753 Benjamin Franklin was appointed Deputy Postmaster-General for the colonies, his superior being a member of the English Cabinet. In this position he served for twenty-one years, being dismissed in 1774 for his adherence to the cause of the colonists against the mother country. Within a few months he was appointed by the Continental Congress to be Postmaster-General, and in this capacity served until late in 1776.

After Franklin's retirement, postal affairs under his successors were in confusion, although the system extended to only seventy-five postoffices. When the Constitution went into operation, Congress provided for the "temporary establishment of the Postoffice." By act of 1792 a General Postoffice was established under a Postmaster-General, who was authorized to appoint an Assistant Postmaster-General and such other subordinates as were necessary. Not by specific mention has any law definitely established a Postoffice Department as an adjunct of the Executive branch of the Government. It is referred to in the text of an act of 1825 as a Department, but the title of that law assumed that previous laws had already dignified that branch as a distinct Department. Thus it is by practice and not by legislation that our present Postoffice Department is recognized at its deserved status. The Postmaster-General is at the head of all postal affairs; before the time of President Jackson he was not given a seat in the Cabinet; that President invited his Postmaster-General to be present at Cabinet meetings, and the custom has been continued. Today the head of this Department is considered as much a member of the Cabinet circle as the Secretary of State, the leading member.

The Postoffice Department has charge of the transmission and distribution of mail matter, the manufacture and sale of stamps, the management of the money order system, the establishment and discontinuance of postoffices, and the appointment of all postmasters of the fourth class. See Postal Service; Postmaster-General.

Postroads. Congress is given the power, in Article I, Section 8, of the Constitution, "to establish postoffices and postroads." A postroad, contrary to generally accepted belief, in its original significance had no reference to mail routes or mail carrying, but was a road for general travel, like the old English highways of a century ago, having relays at which changes of horses could be obtained. Today a postroad has come to mean a route over which United States mails are carried, and the word has no other significance.

Power of Attorney is written authority to transact business of a specified nature for other people.

Preamble. A preamble is an introductory clause in a constitution, statute, contract, or set of resolutions, setting forth the reason, or motive, or design of what follows. The opening sentence of the Constitution of the United States is by common consent called the Preamble, but the word does not appear in the document. Because of the explanatory nature of this opening sentence, probably no better designation could be suggested.

Precinct, a part of a township or portion of a city ward, with prescribed boundaries, fixed by county or city authorities, for voting purposes. All voters within the territory embraced in a precinct have the same voting place.

President, Censure of the. See Censure of the President; President of the United States.

President, Title of the. The Constitution of the United States declares the title of the Chief Executive; it was decided after much discussion in the Constitutional Convention [q. v.]. No precedent existed, however, on the question of the proper manner of addressing the President. The First Congress appointed a committee to report on the matter, and it decided that "it is not proper to annex any style or title other than that expressed in the Constitution." This report was not satisfactory, and a second committee, after due deliberation, thought it would "be proper to address the President as 'His Highness, the President of the United States and Protector of their Liberties.'" The term "His Excellency" was subsequently

adopted, not by Congressional action, but by general popular approval. Without exception since 1790 each Chief Executive has been addressed as "His Excellency, the President." In Irving's "Life of Washington" is this statement:

"The inauguration of Washington was delayed for several days by a question which had arisen as to the title by which the President-Elect was to be addressed. The question had been mooted without Washington's privity and contrary to his desire, as he feared that any title might awaken the sensitive jealousy of Republicans at a moment when it was all-important to conciliate public good will to the new form of government. It was a relief to him, therefore, when it was finally resolved that the address should be simply, 'President of the United States'."

President, War Power of the. See War Power of the President.

Presidential Bee. A man who desires to become President of the United States often permits this ambition to influence his public acts. Such a person is said to have "the Presidential bee in his bonnet." The "Presidential fever" is another name applied to the same political manifestation.

Presidential Election. See Electoral System; Electoral Colleges.

Presidential Flag. See Flag of the President.

Presidential Salute. See Salute.

Presidential Succession, the order in which subordinate officers of the Federal Government succeed to the Presidency, in case of the death of the President or his removal from office for any misdemeanor or his disqualification from any cause to hold longer the post of Chief Executive.

The Constitution provides that the Vice-President shall become President in the event of such a vacancy, and he shall hold the office during the remainder of that Presidential term. Five times in the history of the United States the Vice-President has thus been transferred to the President's chair, each time through the death of the regularly elected official. Not in any of these instances did the new President, thus elevated to power, resign, become disqualified, or die in office. Had such a contingency occurred prior to 1886, however, serious consequences might have resulted. Previous to that year the only provision

for succession lay in a law of Congress, passed in 1792, by which, succeeding the Vice-President, first the President *pro tempore* of the Senate and, following him, the Speaker of the House of Representatives, should assume the office until a new election of President could be held under the direction of Congress. The operation of this law made possible the succession of a man, after the Vice-President, of a different political party than the regularly chosen President and Vice-President. In such event a sudden reversal of Executive policies might be attempted at a time when the public mind was ot prepared to accept radical changes.

While this danger was clearly foreseen for many years, no definite effort to apply a remedy was made until 1886, when the Presidential Succession Law was passed. By its terms the high office passes to a member of the Cabinet, who may be safely relied upon to continue Executive control along the lines projected by his former chief. Another provision of this law makes it necessary for Congress to assemble within twenty days from the succession of a Cabinet member; it shall be the duty of the Congress at once to issue a call for the election of a President who shall serve during the remainder of the regular term. The Succession Law in full is as follows:

An act to provide for the performance of the duties of the office of President in case of the removal, death, resignation or inability both of the President and Vice-President.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in case of removal, death, resignation or inability of both the President and Vice-President of the United States, the Secretary of State, or if there be none, or in case of his removal, death, resignation, or inability, then the Secretary of the Treasury, or if there be none, or in case of his removal, death, resignation or inability, then the Secretary of War, or if there be none, or in case of his removal, death, resignation, or inability, then the Attorney-General, or if there be none, or in case of his removal, death, resignation, or inability, then the Postmaster-General, or if there be none, or in case of his removal, death, resignation, or inability, then the Secretary of the Navy, or if there be none, or in case of his removal, death, resignation or inability, then the Secretary of the Interior shall act as President until the disability of the President or Vice-President is removed or a President shall be elected: *Provided*, That whenever the powers and duties of the office of President of the United

States shall devolve upon any of the persons named herein, if Congress be not then in session, or if it should not meet in accordance with law within twenty days thereafter, it shall be the duty of the person upon whom said powers and duties shall devolve to issue a proclamation convening Congress in extraordinary session, giving twenty days notice of the time of meeting.

SECTION 2. That the preceding section shall only be held to describe and apply to such officers as shall have been appointed by the advice and consent of the Senate to the offices therein named, and such as are eligible to the office of President under the Constitution, and not under impeachment by the House of Representatives of the United States at the time the powers and duties of the office shall devolve upon them respectively.

SECTION 3. That sections one hundred and forty-six, one hundred and forty-seven, one hundred and forty-eight, one hundred and forty-nine, and one hundred and fifty of the Revised Statutes are hereby repealed.

[Approved January 19, 1886.]

The Secretary of Agriculture and the Secretary of Commerce and Labor, at present members of the President's Cabinet, are not included in the succession; these offices were created after the law was passed. See DISABILITY OF THE PRESIDENT.

Presidential Term. In the Constitutional Convention there was much discussion as to the length of the term of office for which the President should be elected. The report of the first committee appointed to discuss the matter recommended a seven-year tenure, without the privilege of re-election. The latter provision was stricken from this report by the vote of the majority of States. Different members of the Convention proposed terms varying from four to twenty years—the latter in derision, for the author, when called upon for explanation, declared it "the medium life of princes."

The last committee named for the purpose of reaching a conclusion upon which all members could agree determined to recommend a term of four years. This resolution was finally adopted, but the reasons for it are obscure. It is thought that the term of members of the House of Representatives, already fixed at two years, influenced the Convention to believe a term twice as long was sufficient for the President; but no prohibition was placed upon his ambition to succeed himself for as many terms as he could secure election. However, the succession was decided for all time

by Washington, who refused a third term, declaring that two terms were enough to satisfy the proper ambition of any man. President Grant's ill-advised friends attempted to secure for him a third term, but they failed to break the precedent established by our first President, whose action is esteemed as having the binding effect of a statute. Theodore Roosevelt voiced the same sentiment against long incumbency of the office when he refused a nomination which might have retained his hold upon the Presidency for a total of eleven and one-half years. See PRESIDENT OF THE UNITED STATES.

Presidential Vote. See POPULAR VOTE FOR PRESIDENTS.

President of the Senate. Each House of Congress must have both a permanent and a temporary presiding officer. The Constitution prescribes the permanent presiding officers of the Senate and the House of Representatives and the temporary chief officer of the Senate. Article I, Section 3, Clause 4, states that "The Vice-President of the United States shall be President of the Senate, but shall have no vote unless they be equally divided." If the President of the United States be not incapacitated during his term of office, the sole duty of the Vice-President is to preside as chairman of the Senate. He is not a member of that body; during his four years incumbency it is doubtful if he would have an opportunity to cast a vote, for the occasions when the Senators are equally divided in opinion are exceedingly rare. The Vice-President has no voice in the selection of committees of the Senate, that option being reserved to the members themselves; they never would delegate that duty to a man not a Senator. In the absence of the Vice-President the presiding officer is the President *pro tempore*, in obedience to the mandate of the Constitution, in Article I, Section 3, Clause 5. See COMMITTEES OF CONGRESS; PRESIDENT PRO TEMPORE; SPEAKER OF THE HOUSE; ORGANIZATION OF CONGRESS.

President of the United States. One of the defects of the Government under the Articles of Confederation was the total lack of cohesion, such as would be supplied by an Executive Department. The delegates to the Constitutional Convention

[q. v.] were therefore of one mind relative to the necessity of an Executive head of the Government. It took some time to determine whether this authority should be vested in one person, or in a number of persons with delegated powers. The outcome of lengthy discussions was that there should be a single Executive, who should be called by the simple title of President of the United States. The Constitution makers clothed this Executive with unusual powers and privileges. He is the responsible head of the Federal Government, and as such upon him is placed the whole burden of faithful execution of the laws of the nation. He exercises extensive military powers, being commander-in-chief of the army and the navy, but he cannot declare war, as this function is reserved to Congress in Article I, Section 8, Clause 11. He represents the nation in dealing with foreign countries. The President, therefore, enjoys a position of power and responsibility greater than that delegated to most constitutional monarchs of Europe.

As the country has developed, the Executive Department of the Government has kept pace with this growth. Originally Congress gave to the President four chief advisers—the heads of the State, War and Treasury Departments and the Department of Justice. From time to time these have been still further subdivided, until now there are nine great Executive Departments, all under the direct control of the President, who appoints the chief officer of each, and these become by such appointment members of his Cabinet. The power of direction over these Executive Departments was not defined with absolute clearness by early Congresses. The act of 1789, creating the Treasury Department, contemplated that the Secretary of the Treasury should be directly responsible to Congress rather than to the President, although this was not specifically stated in the act. In creating the Postoffice Department, Congress again neglected to specify under what control that Department should exist. The question was quite definitely decided for all time by President Jackson in his struggle with the United States Bank. He removed successive Secretaries of the Treasury who refused to adopt the policy he outlined, and since

that time the President's control over the various Executive Departments has not been disputed.

The President of the United States has full power to grant reprieves and pardons and to commute sentences for all offenses against the United States except in cases of impeachment; when the Senate has acted on an impeachment case, the verdict is beyond the power of the President to change. However, to every other offense, even to treason, Executive clemency may be extended. While the President exercises such unbounded authority, he is held in check by that provision of the Constitution which makes possible his impeachment by the House of Representatives for any acts in which he exceeds his authority. In case of such impeachment, his trial on the charge is conducted by the Senate of the United States as jury, with the Chief Justice of the Supreme Court as presiding judge.

Until 1886 there was no satisfactory provision for succession to the Presidency beyond the Vice-President, in case of a vacancy in the office, but in that year Congress passed a succession law which removes for all time the possibility that the country may suffer from the uncertainty which might result from death or disability of both the President and Vice-President. The members of the Cabinet, in the following order, are now eligible to the Presidency: Secretary of State, Secretary of the Treasury, Secretary of War, Attorney-General, Postmaster-General, Secretary of the Navy, and Secretary of the Interior.

The President receives a salary of $50,000 per year, and his official residence, besides which there is an annual appropriation by Congress for the maintenance of the Executive mansion amounting to about $100,000 per year. Until 1873 the President received only $25,000 per year. The salary paid our Chief Executive is probably the smallest given any officer in the world whose responsibilities are so great. There has been an effort made to increase his compensation to at least $100,000 per year, but thus far without result. See PRESIDENTIAL TERM; PRESIDENTIAL SUCCESSION; PRESIDENTS OF THE UNITED STATES.

President Pro Tempore. The word *pro tempore* means "for the time being." The Constitution of the United States prescribes that the Vice-President shall be President of the Senate, and that in his absence, there shall be elected by the Senators a President *pro tempore* (Article II, Section 3). Therefore, at the beginning of every Congress the members of the Senate choose one of their own number as President *pro tempore.* He must hold himself in readiness to preside over the sessions of the Senate whenever the Vice-President is absent. Because of this added responsibility, he receives a salary equal to that of the Vice-President, namely $12,000. The President *pro tempore* is always of the same political party as the majority of the Senators.

President's Cabinet. See CABINET OF THE PRESIDENT.

President's Message. See MESSAGE OF THE PRESIDENT.

Presidents of the United States. Following is the list of names of our Presidents, in chronological order, with the term of office of each:

No.	Presidents	Born.		Term of Office.	
		Date.	Birthplace.	From	To
1	Washington	Feb. 22, 1732	Bridges Creek, Va	Apr. 30, 1789	Mar. 4, 1797
2	Adams, John	Oct. 30, 1735	Braintree, Mass.	Mar. 4, 1797	Mar. 4, 1801
3	Jefferson	Apr. 13, 1743	Shadwell, Va.	Mar. 4, 1801	Mar. 4, 1809
4	Madison	Mar. 16, 1751	Port Conway, Va.	Mar. 4, 1809	Mar. 4, 1817
5	Monroe	Apr. 28, 1758	Westmoreland Co.Va.	Mar. 4, 1817	Mar. 4, 1825
6	Adams, J. Q.	July 11, 1767	Quincy, Mass.	Mar. 4, 1825	Mar. 4, 1829
7	Jackson	Mar. 15, 1767	Mecklenburg Co., N.C.	Mar. 4, 1829	Mar. 4, 1837
8	Van Buren	Dec. 5, 1782	Kinderhook, N. Y	Mar. 4, 1837	Mar. 4, 1841
9	Harrison, W.	Feb. 9, 1773	Berkeley, Va.	Mar. 4, 1841	Apr. 4, 1841
10	Tyler	Mar. 29, 1790	Charles City Co., Va.	Apr. 6, 1841	Mar. 4, 1845
11	Polk	Nov. 2, 1795	Mecklenburg Co., N.C.	Mar. 4, 1845	Mar. 4, 1849
12	Taylor	Nov. 24, 1784	Orange Co., Va.	Mar. 4, 1849	July 10, 1850
13	Fillmore	Jan. 7, 1800	Summer Hill, N. Y.	July 10, 1850	Mar. 4, 1853
14	Pierce	Nov. 23, 1804	Hillsborough, N. H.	Mar. 4, 1853	Mar. 4, 1857
15	Buchanan	Apr. 23, 1791	Stony Batter, Pa.	Mar. 4, 1857	Mar. 4, 1861
16	Lincoln	Feb. 12, 1809	Nolin Creek, Ky.	Mar. 4, 1861	Apr. 15, 1865
17	Johnson	Dec. 29, 1808	Raleigh, N. C.	Apr. 15, 1865	Mar. 4, 1869
18	Grant	Apr. 27, 1822	Point Pleasant, Ohio	Mar. 4, 1869	Mar. 4, 1877
19	Hayes	Oct. 4, 1822	Delaware, Ohio.	Mar. 4, 1877	Mar. 4, 1881
20	Garfield	Nov. 19, 1831	Bedford, Ohio.	Mar. 4, 1881	Sep. 19, 1881
21	Arthur	Oct. 5, 1830	Fairfield, Vt.	Sep. 20, 1881	Mar. 4, 1885
22	Cleveland	Mar. 18, 1837	Caldwell, N. J.	Mar. 4, 1885	Mar. 4, 1889
23	Harrison, B.	Aug. 20, 1833	North Bend, Ohio.	Mar. 4, 1889	Mar. 4, 1893
24	Cleveland	Mar. 18, 1837	Caldwell, N. J.	Mar. 4, 1893	Mar. 4, 1897
25	McKinley	Jan. 29, 1843	Niles, Ohio.	Mar. 4, 1897	Sep. 14, 1901
26	Roosevelt	Oct. 27, 1858	New York City, N.Y.	Sep. 14, 1901	Mar. 4, 1909
27					
28					

Presidents, POLITICS OF THE. The present-day dominant political parties, the Republican and the Democratic, have existed under various names since the adoption of the Constitution. Classified under these two organizations, the politics of the Presidents is given in the following table. It must be remembered, however, that with changed conditions from time to time, the policies for which the parties have contended have also changed; "new occasions teach new duties." The inference must not be made that because the first President belonged to the organization which developed the Republican party, he would have endorsed the present Republican principles of high protective tariff or gold standard currency, or that the first Democrat in the Presidential office would favor the Democratic policies of today:

	YEARS.			YEARS	
	REPUBLICAN	DEMOCRATIC		REPUBLICAN	DEMOCRATIC
Washington	8	.....	Pierce	.....	4
Adams, Jno	4	.....	Buchanan	.....	4
Jefferson	.....	8	Lincoln and Johnson	8	.....
Madison	.....	8	Grant	8	.....
Monroe	.....	8	Hayes	4	.....
Adams, J. Q	4	.....	Garfield and Arthur	4	.....
Jackson	.....	8	Cleveland	.....	4
Van Buren	.....	4	Harrison, B	4	.....
Harrison and Tyler	4	.....	Cleveland	.....	4
Polk	.....	4	McKinley	4	.....
Taylor and Fillmore	4	.....	Roosevelt	8	.....

For the first 104 years of our Government these two parties shared equally in administration, each being credited with fifty-two years. In the following table the name is given by which each party was known at the time of the various elections:

NAME.	POLITICS.	NAME.	POLITICS.
George Washington	(Unanimous.)	Franklin Pierce	Democrat.
John Adams	Federal.	James Buchanan	Democrat.
Thomas Jefferson	Democrat.	Abraham Lincoln	Republican.
James Madison	Democrat.	Andrew Johnson	Republican.
James Monroe	Democrat.	U. S. Grant	Republican.
John Quincy Adams	Federal.	R. B. Hayes	Republican.
Andrew Jackson	Democrat.	James A. Garfield	Republican.
Martin Van Buren	Democrat.	Chester A. Arthur	Republican.
Wm. Henry Harrison	Whig.	Grover Cleveland	Democrat.
John Tyler	Whig.	Benj. Harrison	Republican.
James K. Polk	Democrat.	Grover Cleveland	Democrat.
Zachary Taylor	Whig.	William McKinley	Republican.
Millard Fillmore	Whig.	Theodore Roosevelt	Republican.

Prima facie, a Latin term signifying at first view, or so far as first appears; or, evident from appearance, without the necessity of further proof.

Primary Election. See ELECTIONS.

Prisoners of War. The leading countries of the world by convention have agreed upon the rules which shall mark the treatment of prisoners of war. An officer or enlisted man who surrenders must be humanely treated; medical officers with their staffs, together with all other non-combatants, unless they have used arms, should, if captured, be allowed to go free. If not incapable, because of sickness or wounds, a prisoner may be made to work and contribute towards the expense of his living; the labor, however, must be suited to the condition of the prisoner. A prisoner of war is justified in attempting to escape, unless he has pledged his word that he will not do so; but the captor may lawfully shoot the prisoner so attempting to gain his liberty, provided the shooting is done during the attempt. Captors may exercise their discretion regarding paroles; it is a matter of courtesy or convenience merely. Even if a parole is offered, a prisoner may refuse it without jeopardizing any of his rights as a prisoner of war. A man accepting parole and returning to his home may not engage again in active service against the enemy, but he may without violating his parole take part in drilling, recruiting, etc. If a parole is violated and the prisoner be re-taken, he may legally be put to death or placed in solitary confinement. Prisoners of war receive no pay from the day of capture until they are released, except that in the option of the Government the pay of officers may continue.

Private Act. Legislation which affects private persons only and carries no direct interest to the general public is called private legislation; such a specific act of a Legislature or of Congress is a private act. A law permitting a man to change his name is an illustration; no interests are affected except those of the person making the request. A pension granted to a person in a private pension bill would not be included under this heading, for a question of revenue and possible taxation is involved, in which all people are interested.

Privateer. A vessel owned and officered by private citizens, but engaged in war service against an enemy by

authority of Government, is a privateer. Such action is legalized by a letter of marque; if taken by the enemy a privateer is subject to all the rules of war which govern naval vessels. In most countries privateers are now unknown, well-equipped navies providing ample means of offense and defense, and expeditions for redress of private grievances are no longer permitted. See MARQUE AND REPRISAL, LETTERS OF.

Private Legislation. See PRIVATE ACT.

Probate Court. A court established in the counties of every State, having jurisdiction over the proof of wills, guardianships and the settlement of estates, is called a Probate Court. The presiding officer of such a court is the Judge of Probate. His term of office is usually four years, although in many States it is but two. Any person interested in the settlement of any estate according to provisions of a will may compel the probate of it by application to the Probate Court. This will cause a summons to be issued upon the person having the custody of the will. The Judge of Probate may cite the executor to prove the will at the instance of any one claiming an interest in it.

Probate Judge. See JUDGE OF PROBATE.

Prohibition, a political and social issue in the United States, relative to the manufacture and sale of malt and spirituous liquors for use as beverages. The leading influence back of this very formidable movement since about 1880 has been the National Prohibition party, which has taken a radical stand against the liquor traffic. The agitation has resulted in nonpartisan efforts in many States to close dram-shops, with remarkable success. It is estimated that in 1908 nearly forty million of American citizens were living in territory from which saloons have been banished. See LOCAL OPTION; HIGH LICENSE; PROHIBITION PARTY.

Prohibition Party, NATIONAL. The first move in the direction of a National organization of a political nature having for its object the suppression of the liquor traffic was undertaken by the Independent Order of Good Templars, in May, 1869. During a meeting of the Grand Lodge at Oswego, New York, it was decided to favor "independent action for the

promotion of the temperance cause." A call was made for a National convention to organize a National Prohibition party, and this meeting was held in Chicago, in November of the same year. The first platform of principles has been re-adopted regularly every four years with practically no change regarding the main issues. It claimed that the traffic in intoxicating liquors is a dishonor to Christian civilization and a political wrong; suppression by law was advocated, and the entire prohibition of the traffic, in State and Nation, was declared to be good in law and feasible in practice.

The party has never polled a vote large enough to hold the balance of power in any State, but it has remained very active in all sections of the country and has kept the saloon question constantly before the voters. The effect of the propaganda has been most encouraging; opponents of the liquor business in many States have united in local or State elections on this issue and have put the saloons out of existence in a vast territory. It would be incorrect to say that the National Prohibition party has accomplished the feat; but to its persistence much of the credit must be given. The results of the temperance movement, up to July, 1908, may be summarized as follows:

Alabama—County option law secured; Sunday closing well enforced
Arkansas—Sixty dry counties out of seventy-five.
California—Four dry counties and 200 dry cities and towns.
Colorado—Local option secured in 1907.
Connecticut—Town and local option; ninety dry cities and towns.
Delaware—State voted for prohibition governor Nov. 5, 1907; many cities dry
Florida—Thirty-five dry counties out of forty-five.
Georgia—Adopted state prohibition Aug. 5, 1907.
Idaho—License; Sunday law passed, 1905.
Illinois—Local-option law passed in 1907; twenty-seven counties and 600 towns and cities dry; two-thirds of Chicago's area under prohibition or local-option law.
Indiana—Dry cities and towns, 723; people in dry territory, 1,300,000.
Iowa—Dry counties, sixty-five; constitutional prohibition adopted in 1882, but courts declared it invalid on technical grounds; no popular vote on question taken since then.
Kansas—State prohibition adopted in 1880.
Kentucky—Ninety-nine counties dry; only four wholly wet; Louisville dry.
Louisiana—Twenty-four dry parishes out of fifty-nine.
Maine—State prohibition from 1855; in constitution since 1884.
Maryland—Fourteen dry counties out of twenty-four.
Massachusetts—Dry cities and towns, 250; laws strict and well enforced.
Michigan—Seven hundred dry cities and towns.

Minnesota—Sunday closing well enforced in entire state; 123 dry cities and towns.
Mississippi—Fifty-eight dry counties out of seventy-five; state governor prohibitionist.
Missouri—Sunday closing enforced in all the cities; forty-four dry counties in 1907 as against three in 1905.
Montana—License.
Nebraska—Village and city option; 400 dry cities and towns.
Nevada—License.
New Hampshire—Sixty-two per cent of population in dry towns.
New Jersey—Sunday closing well enforced; no dry counties.
New York—Town and township option; 300 dry cities and towns.
North Carolina—Sixty-seven dry counties out of ninety-seven.
North Dakota—State prohibition since 1889.
Ohio—Sunday closing enforced; 1,140 dry cities and towns.
Oregon—Sunday closing enforced; twelve counties and 170 cities and towns dry; state prohibition coming.
Oklahoma—State prohibition adopted Sept. 17, 1907.
Pennsylvania—License with privilege of remonstrance; one dry county and several dry cities and towns.
Rhode Island—Sixteen dry cities and towns.
South Carolina—Recently repealed dispensary law; move for state prohibition in progress; eighteen dry counties.
South Dakota—Large sections of state dry.
Tennessee—Sunday closing enforced; 1,845 dry cities and towns; outlook for state prohibition favorable.
Texas—One hundred and fifty dry counties and fifty partially dry; campaign for state prohibition under way.
Utah—License.
Vermont—Prohibition expected soon; counties against license.
Virginia—Seventy-two dry counties out of 118.
Washington—Sunday closing enforced; license, with but fifty dry towns.
West Virginia—Thirty dry counties out of fifty-five; governor opposes liquor traffic.
Wisconsin—Six hundred and fifty dry cities and towns.
Wyoming—License.
Arizona and New Mexico—License.
District of Columbia—Campaign for prohibition under way.

Property, PRIVATE, RIGHT OF. Private property is that which belongs by absolute right to an individual for his personal disposition, use and benefit. His right to the enjoyment of all private property legally acquired is protected by statute in every State. If private property rights are jeopardized, the courts grant ready redress of grievances. In return for this protection every owner of property, personal and real, is indebted to his State; this debt is in proportion to the value of his possessions, and is assessed in the form of taxes. A tax, even when moderate, is usually a most unwelcome debt; the person against whom it is levied too frequently forgets that it is the cheapest insurance against the rapacity of his fellow men that can be purchased.

Prosecuting Attorney, same as STATE'S ATTORNEY [q. v.].

Protection is the political system or policy of promoting the industrial development of a country by application of one or all of the following means: (1) By giving direct Government aid to particular industries, as subsidies [q. v.] paid to steamship lines or railroads whose promoters are pioneers in new and unprofitable directions; (2) by the imposition of taxes on other industries, thus lessening the amount of production in that direction; (3) by placing such burdens as customs' duties [q. v.] on the foreign exporter or home importer of such commodities as it is desired to produce at home.

Subsidies have been given by Congress to various enterprises in their early stages to develop and encourage American capital and labor; as our wealth increased and business was better able to care for itself this support has been withdrawn. The favorite method of applying protection to our industries is by the levy of unusually high tariffs against foreign articles which enter in our markets into competition with commodities of domestic manufacture. For a discussion of this phase of our political economy, see PROTECTIVE TARIFF.

Protective Tariff. A tariff which has for its object the placing of a high rate of duty upon articles of foreign manufacture which enter into competition with domestic manufactures is called a protective tariff. Such a tariff levied against a foreign commodity raises the price of that commodity in the United States to a price to which our home-manufactured goods can be made and sold. Foreign countries pay very low wage scales; our workmen are well paid. To permit an article costing one dollar in the country of its manufacture to enter our ports duty free must bring the market value of a similar domestic article, costing one dollar fifty cents to manufacture, down to the same sum; at any higher price the domestic commodity might be driven from the market. To sell the home article in competition with the duty-free foreign goods would necessitate a reduction of one-third in cost of domestic manufacture; this would mean a considerable decrease in wages paid our workmen. The advocates of a protective tariff

maintain that the American workman should not be forced to compete with the cheaper labor of Europe. To prevent the pauperization of our great army of workers in industries affected by European competition, a tariff may be levied against a selected list of articles and made high enough to afford security to the American laborer. The foreign article mentioned above may meet at our shores a tariff of fifty per cent; its cost to the importer is therefore one dollar fifty cents, and the domestic article meets it on even terms. The customs duties collected are applied to Government expenses.

The greatest political battles since 1880, with two exceptions, have been waged over the question of protection and free trade [q. v.]. The McKinley Bill [q. v.] marked the extreme limit to which protective tariff ideas have been applied thus far in our history.

Pro Tempore is a Latin word meaning "for the time being." It is used to indicate a temporary officer who holds himself in readiness to assume the duties of a given position in the absence of the regularly elected official. See PRESIDENT PRO TEMPORE

Provincial Congresses. After 1770 the rapidly growing discontent among the colonists toward the domineering attitude of Great Britain led to calls of representative conventions in a number of the colonies to discuss the impending crisis.

Massachusetts. The Continental Congress in session at Philadelphia increased the boldness of the people to oppose Great Britain's attitude, and Governor Gage countermanded the permit he had given to the Massachusetts Assembly to meet at Salem. The members denied him the right of countermand, and they met, ninety in number, on October 5, 1774. After waiting two days for the Governor to appear, they organized themselves without his presence into a Provincial Congress, of which John Hancock was President. Adjournment followed to Concord, where six days later 260 members were present; then they adjourned to Cambridge, from which meeting point they sent a message to Gage, advising him of their action in forming a convention. The body complained of unlawful acts

of Parliament, but expressed their loyalty to the King; it protested against the fortifying of Boston Harbor by the Governor, and this latter act so incensed Gage that he denounced all the acts of the Congress. This, however, only increased their zeal, and a committee of safety was appointed to whose members were delegated large powers. They were authorized to call out the militia of Massachusetts, and in other ways to perform acts of sovereignty. Sixty thousand dollars was appropriated to secure ammunition and military stores; provision was made for arming all males in the province, and general officers were appointed for the militia. Massachusetts was therefore practically on a war footing when hostilities were actually begun the next year.

New Hampshire. Ninety-eight counties, towns and parishes were represented in the Provincial Congress which met at Exeter in May, 1775. This body established a postoffice at Portsmouth, in order that communications on the general civil and military situation could be rapidly dispatched. It provided also for procuring arms, recommended the establishment of home manufactures, commissioned a first commander of the militia, and provided for the issue of paper money to meet immediate needs.

New Jersey. On the 23rd of May, 1775, a Provincial Congress met at Trenton and representatives from thirteen counties participated in its deliberations. The call by the Governor was to consider a conciliatory proposition presented by Lord North. The Congress declined to approve North's recommendation or take any decisive step in the matter until the Continental Congress at Philadelphia had given its approval. With the convening of this body, all royal authority in New Jersey was at an end. Measures were adopted for organizing the militia, and an issue of $50,000 in paper money was authorized for the payment of extraordinary expenses.

New York. In May, 1775, on the recommendation of a standing committee of safety of the City of New York, delegates from a majority of counties met in New York in a Provincial Congress. This body forwarded to the Continental Congress a

financial scheme for the defense of the colonies, by the issue of Continental paper money. It was this plan that was subsequently adopted. This Congress took measures to enlist four regiments for the defense of the province and for erecting fortifications which had been recommended by the Continental Congress. It was agreed by this body also to furnish provisions for the garrison at Ticonderoga.

North Carolina. In August, 1775, a Provincial Congress of 184 members assembled at Hillsboro. They declared their intention to protect the Carolina regulators who were liable to punishment by the British authorities. The raising of troops was provided for to the extent of ten battalions, to be called minute-men. An issue of bills of credit, or paper money, to the amount of $150,000 was authorized.

Provost Marshal, an officer of the army who occupies a position comparable to that of policeman among civilians. Each separate army in the field has an officer of the rank of field officer called the Provost Marshal-General; each army corps a Provost Marshal, of field officer rank, and each division a Provost Marshal of the rank of Captain. This officer has at all times under his command a force sufficient to preserve proper order throughout the army and along its lines of communication. He also protects the inhabitants in the vicinity from depredations and violence on the part of the soldiers; he keeps a careful watch over all camp-followers, arrests deserters, picks up stragglers, and takes charge of all prisoners of war.

Proxy, Vote by. A vote by proxy is the act of one person casting a ballot for another. Both the person who actually performs the act of voting and the authority under which he does so are called the proxy. The commonest use of proxies is at meetings of stockholders of corporations. It has become quite a common practice for great mutual business enterprises such as life insurance companies to continue a group of officials in power indefinitely through permanently assigned proxies. The use of proxies is not permitted at political elections or conventions; in the latter, if a delegate cannot be present a previously appointed alternate may serve in his place.

Public Administrator. In some States the Governor appoints, or the people elect, for each county a person whose office is that of public administrator. By virtue of his office he becomes administrator of the estates of deceased persons whose wills do not name administrators, or whose heirs cannot agree upon an administrator. This officer may be consulted by all persons interested in the settlement of an estate, without the payment of attorney's fees. His remuneration is by fees out of the estates in his charge. See ADMINISTRATOR.

Public Enemy. In international law a public enemy is a country with whom a nation is at open war.

Public Lands are parts of the domain of the country yet under Government control, designed ultimately to be subdivided and occupied by settlers on terms fixed by law. Prior to the opening of any portion of the public domain to settlement the Government conducts a survey of the part to be opened, that description and location of any parcel of it may be facilitated. According to the system of surveys in force for more than one hundred years, all the land is divided into sections by imaginary lines one mile apart, both east and west and north and south. A block of sections six miles square usually forms the political unit called a township.

The thirteen original States and Maine, Vermont, Kentucky, Tennessee, Virginia and West Virginia were surveyed very irregularly. Lands were described in the simplest way which appealed to the eye and to the understanding—from stump to stone, from creek to other natural landmark, etc. Thomas Jefferson was chairman of a committee appointed to devise a rational system of surveys for the new Northwest Territory. The system decided upon is the one which has retained favor to this day. The most noticeable peculiarity of it is that it is rectangular. A prime meridian is first determined, then a base-line crossing it at right angles. Then from points on the base-line six miles and multiples thereof from the meridian, lines are run due north. And parallels to the base-line are run at distances of six miles. The approximate squares thus formed are called townships. The rows of townships

running north and south are called ranges. Townships are numbered north and south from the base-line; ranges east and west from the meridian.

Since meridians all terminate at the poles, the lines between ranges, being meridians, gradually approach each other as they go northward. The lines, then, soon become so much less than six miles apart that a new beginning has to be made. The parallel upon which this correction is made is naturally called the correction line. Corrections were at first made every 36 miles, but they are now made every 24 miles.

In 1908 the public lands remaining in the various States are included in the following list, taken from the report of the Commissioner of the General Land Office:

State or Territory.	Area Unappropriated and Unreserved.		State or Territory	Area Unappropriated and Unreserved.	
	Surveyed.	Unsurveyed		Surveyed.	Unsurveyed
	Acres.	Acres.		Acres.	Acres.
Alabama.	156,820	.....	Montana.	21,024,719	28,774,795
Alaska.	7,125	*368,028,850	Nebraska.	3,543,161	.....
Arizona.	12,753,267	32,766,679	Nevada.	32,804,244	28,354,337
Arkansas.	1,497,142	.....	New Mexico.	33,368,850	13,900,732
California.	23,746,839	6,644,209	North Dakota	2,716,835	182,850
Colorado.	23,053,308	1,847,491	Oklahoma.	71,051	.....
Florida.	375,926	61,648	Oregon.	12,859,473	4,871,456
Idaho.	8,796,687	21,270,257	South Dakota	7,690,098	140,607
Kansas.	315,674	.....	Utah.	12,008,063	25,201,111
Louisiana.	73,287	65,018	Washington.	2,678,658	2,311,279
Michigan.	286,419	.....	Wisconsin.	16,240	.....
Minnesota.	1,773,122	391,133	Wyoming.	35,136,428	2,733,808
Mississippi.	50,280	.....			
Missouri.	88,414	.....	Grand Total.	236,892,100	537,546,320

*The unreserved lands in Alaska are mostly unsurveyed and unappropriated.

Public Works are permanent improvements made for the good of all the people. Expense of erection is borne by the central Government, which may be municipal, State or National. Examples under the first class are systems of lighting and of waterworks; under the second and third, roads, canals, harbors, etc. Paving and other improvements of like nature, while constructed under a municipality's department of public works, are considered more in the nature of private enterprises, so they are not paid for from public funds, but by assessments against adjoining property. National public works are under the direction either of the War or the Interior Department.

Pure Democracy. See Democracy.

Q

Qualifications of Voters. Each State determines for itself and outlines in its Constitution what qualifications it shall demand of those who would vote within its borders. Laws governing voting, therefore, are not uniform throughout the United States. In Colorado, Wyoming, Utah and Idaho women are entitled to the suffrage on equal terms with men; they are privileged to vote for school officials in about a dozen States.

The Federal House of Representatives is composed of members chosen from all the States, but they are not chosen by electors having uniform voting qualifications. The Constitution declares (Article I, Section 2, Clause 1) that electors of Representatives "shall have the qualifications requisite for electors of the most numerous branch of the State Legislature." This means that the United States Government will allow any man to vote for Representative in Congress who is entitled in his State to vote for State Representative. It is legal in some States for a person of foreign birth to vote before he is fully naturalized—after he has received his first naturalization papers. The following table gives the qualifications imposed in each State:

Requirements for Voters in the Various States.	Previous Residence Required.				Registration.	Ballot reform.	Excluded from voting.
	State.	County.	Town.	Precinct.			
ALABAMA—Citizens of good character and understanding, or aliens who have declared intention; must exhibit poll-tax receipt.	2 y.	1 y.	3 m	3 m	Yes.	Yes.	If convicted of treason, embezzlement of public funds, malfeasance in office or other penitentiary offenses, idiots or insane.
ARKANSAS—Like Alabama, except as to "good character."	1 y.	6 m	30 d	30 d	No.	Yes.	Idiots, insane, convicts until pardoned, nonpayment of poll tax.
CALIFORNIA — Citizens by nativity; naturalized for 90 days, or treaty of Queretaro.	1 y.	90 d	....	30 d	Yes.	Yes.	Chinese, insane, embezzlers of public moneys, convicts.
COLORADO — Citizens, male or female, or aliens who declared intention 4 months before offering to vote.	1 y.	90 d	30 d	10 d	Yes.	Yes.	Persons under guardianship, insane, idiots, prisoners convicted of bribery.

Requirements for Voters in the Various States	Previous Residence Required.				Registration.	Ballot reform.	Excluded from voting.
	State.	County.	Town.	Precinct.			
CONNECTICUT — Citizens who can read English.	1 y.	....	6 m	....	Yes.	Yes.	Convicted of felony or other infamous crime unless pardoned.
DELAWARE — Citizens paying $1 registration fee.	1 y.	3 m	....	30 d	No.	Yes.	Insane, idiots, felons, paupers.
FLORIDA—Citizens of United States.	1 y.	6 m	....	30 d	Yes.	Yes.	Persons not registered, insane or under guardian, felons, convicts.
GEORGIA—Citizens who can read and have paid all taxes since 1877.	1 y.	6 m	....	....	(*a*)	No.	Persons convicted of crimes punishable by imprisonment, insane, delinquent taxpayers.
IDAHO—Citizens, male or female.	6 m	30 d	3 m	10 d	Yes.	Yes.	Chinese, Indians, insane, felons, polygamists, bigamists, traitors, bribers.
ILLINOIS—Citizens of United States.	1 y.	90 d	30 d	30 d	Yes.	Yes.	Convicts of penitentiary until pardoned.
INDIANA—Citizens, or aliens who have declared intention and resided 1 year in United States.	6 m	60 d	60 d	30 d	No.	Yes.	Convicts and persons disqualified by judgment of a court, United States soldiers, marines and sailors.
IOWA—Citizens of United States.	6 m	60 d	10 d	10 d	(*b*)	Yes.	Idiots, insane, convicts.
KANSAS—Citizens; aliens who have declared intention; women vote at municipal and school elections.	6 m	30 d	30 d	10 d	(*b*)	Yes.	Insane, persons under guardianship, convicts, bribers, defrauders of the government and persons dishonorably discharged from service of United States.
KENTUCKY—Citizens of United States.	1 y.	6 m	60 d	60 d	(*c*)	No.	Treason, felony, bribery, idiots, insane.
LOUISIANA—Citizens who are able to read and write, who own $300 worth of property or whose father or grandfather was entitled to vote Jan. 1, 1867.	2 y.	1 y.	....	6 m	Yes.	No.	Idiots, insane, all crimes punishable by imprisonment, embezzling public funds unless pardoned.
MAINE—Citizens of the United States.	3 m	3 m	3 m	3 m	Yes.	Yes.	Paupers, persons under guardianship, Indians not taxed.
MARYLAND—Citizens of United States who can read.	1 y.	6 m	6 m	1 d.	Yes.	Yes.	Persons convicted of larceny or other infamous crime, persons under guardianship, insane, idiots.
MASSACHUSETTS — Citizens who can read and write English.	1 y.	6 m	6 m	6 m	Yes.	Yes.	Paupers (except United States soldiers), persons under guardianship.
MICHIGAN—Citizens, or aliens who declared intention prior to May 8, 1892.	6 m	20 d	20 d	20 d	Yes.	Yes.	Indians holding tribal relations, duelists and their abettors.
MINNESOTA—Citizens of the United States.	6 m	30 d	30 d	30 d	(*d*)	Yes.	Treason, felony unless pardoned, insane, persons under guardianship, uncivilized Indians.
MISSISSIPPI—Citizens who can read or understand the constitution.	2 y.	1 y.	1 y.	1 y.	Yes.	Yes.	Insane, idiots, felons, delinquent taxpayers.
MISSOURI — Citizens, or aliens who have declared intention not less than	1 y.	60 d	60 d	60 d	(*c*)	Yes.	Paupers, persons convicted of felony or other infamous crime or misdemeanor or

Requirements for Voters in the Various States.	Previous Residence Required.				Registartion.	Ballot reform.	Excluded from voting.
	State.	County.	Town.	Precinct.			
1 nor more than 5 years before offering to vote.							violating right of suffrage, unless pardoned; second conviction disfranchises.
MONTANA—Citizens of United States.	1 y.	30 d	30 d	30 d	Yes.	Yes.	Indians, felons, idiots, insane.
NEBRASKA—Citizens, or aliens who have declared intention 30 days before election.	6 m	40 d	10 d	10 d	(*b*)	Yes.	Lunatics, persons convicted of treason or felony unless pardoned, United States soldiers and sailors.
NEVADA — Citizens of United States.	6 m	30 d	30 d	30 d	Yes.	Yes.	Insane, idiots, convicted of treason or felony, unamnestied confederates against the United States, Indians and Chinese.
NEW HAMPSHIRE—Citizens of United States.	6 m	6 m	6 m	6 m	Yes.	Yes.	Paupers (except honorably discharged soldiers), persons excused from paying taxes at their own request.
NEW JERSEY — Citizens of United States.	1 y.	5 m	....	....	Yes.	Yes.	Paupers, insane, idiots and persons convicted of crimes which exclude them from being witnesses unless pardoned.
NEW YORK — Citizens who have been such for 90 days.	1 y.	4 m	30 d	30 d	Yes.	Yes.	Convicted of bribery or any infamous crime unless pardoned, betters on result of election, bribers for votes and the bribed.
NORTH CAROLINA—Citizens of United States who can read.	2 y.	6 m	....	4 m	Yes.	No.	Idiots, lunatics, convicted of felony or other infamous crimes, atheists.
NORTH DAKOTA—Citizens or aliens who have declared intention 1 year and not more than 6 prior to election, and civilized Indians.	1 y.	6 m	....	90 d	(*f*)	Yes.	Felons, idiots, convicts, unless pardoned, United States soldiers and sailors.
OHIO — Citizens of the United States.	1 y.	30 d	20 d	20 d	(*g*)	Yes.	Idiots, insane, United States soldiers and sailors, felons unless restored to citizenship.
OKLAHOMA — Citizens of the United States and native Indians.	1 y.	6 m	30 d	30 d	....	Yes.	Felons, paupers, idiots and lunatics.
OREGON—White male citizens, or aliens who have declared intention 1 year before election.	6 m	....	....	....	No.	Yes.	Idiots, insane, convicted felons, Chinese, United States soldiers and sailors.
PENNSYLVANIA— Citizens at least 1 month, and if 22 years old must have paid tax within 2 years.	1 y.	....	....	2 m	Yes.	Yes.	Persons convicted of some offense forfeiting right of suffrage, nontaxpayers.
RHODE ISLAND — Citizens of United States.	2 y.	....	6 m	....	(*h*)	Yes.	Paupers, lunatics, idiots, convicted of bribery or infamous crime until restored.
SOUTH CAROLINA—Citizens of United States who can read.	2 y.	1 y.	4 m	4 m	Yes.	No.	Paupers, insane, idiots, convicted of treason, dueling or other infamous crime.

Requirements for Voters in the Various States.	Previous Residence Required.				Registration.	Ballot reform.	Excluded from voting.
	State.	County.	Town.	Precinct.			
SOUTH DAKOTA—Citizens, or aliens who have declared intention.	6 m	30 d	10 d	10 d	(*i*)	Yes.	Persons under guardian, idiots, insane, convicted of treason or felony unless pardoned.
TENNESSEE — Citizens who have paid poll tax preceding year.	1 y.	6 m	....	....	(*j*)	Yes.	Convicted of bribery or other infamous crime, failure to pay poll tax.
TEXAS—Citizens, or aliens who have declared intention 6 months before election.	1 y.	6 m	6 m	....	(*k*)	Yes.	Idiots, lunatics, paupers, convicts, United States soldiers and sailors.
UTAH—Citizens of United States, male or female.	1 y.	4 m	....	60 d	....	....	Idiots, insane, convicted of treason or violation of election laws.
VERMONT—Citizens of United States.	1 y.	3 m	3 m	3 m	Yes.	Yes.	Unpardoned convicts, deserters from United States service during the war, ex-confederates.
VIRGINIA—Citizens of United States of good understanding who have paid poll tax for three years and all ex-soldiers.	2 y.	1 y.	1 y.	30 d	Yes.	No.	Idiots, lunatic, convicts unless pardoned by the legislature.
WASHINGTON — Citizens of United States.	1 y.	90 d	30 d	30 d	....	Yes.	Indians not taxed.
WEST VIRGINIA—Citizens of the state.	1 y.	60 d	10 d	....	No.	Yes.	Paupers, idiots, lunatics, convicts, bribers, United States soldiers and sailors.
WISCONSIN—Citizens, or aliens who have declared intention.	1 y.	10 d	10 d	10 d	(*f*)	Yes.	Insane, under guardian, convicts unless pardoned.
WYOMING—Citizens, male or female.	1 y.	60 d	10 d	10 d	Yes.	Yes.	Idiots, insane, felons, unable to read the state constitution.

(*a*) Registration required in some counties. (*b*) In all cities. (*c*) In the cities of first, second and third class. (*d*) Required in cities of 1,200 inhabitants or over. (*e*) In cities of 100,000 population or over.
(*f*) In cities of 3,000 population or over. (*g*) In cities of not less than 9,000 inhabitants. (*h*) Nontaxpayers must register yearly before Dec. 31. (*i*) In towns having 1,000 voters and counties where registration has been adopted by popular vote. (*j*) All counties having 50,000 inhabitants or over. (*k*) In cities of 10,000 or over.

Quarantine is an enforced isolation of a vessel arriving at a port from a foreign country, during which Government health officers may examine the passengers and records of the vessel to determine the state of health of all on board. Usually the period of quarantine is only for a few hours; if contagious disease is discovered, however, the isolation may continue for as long a period as three weeks. No ship commander ever passes the designated quarantine station until his vessel is released by the authorities. The quarantine laws of all countries are rigidly enforced.

Quartermaster, a staff officer of a regiment of troops, usually of the rank of First Lieutenant. He has charge of providing food and clothing, arranging camps, securing transportation, etc.

Quorum. A quorum is such a number of persons belonging to any Legislative or corporate body as its rules specify shall be necessary for the legal transaction of business. No uniformity exists with respect to the number of persons who may constitute a quorum. However, in Legislative bodies usually a majority of the membership is a legal working organization. The only action that can be taken when fewer than a quorum are present is to adjourn, except that, if it be considered necessary, such measures may be voted as shall force the attendance of absent members at the next regular session.

Quo Warranto. A writ of *quo warranto* is a judicial paper commanding a person to show by what warrant he exercises authority in an official position to which his legal election or appointment is in doubt. A hearing following the issuance of such a writ either confirms the right of the defendant to his office or effects his removal.

R

Rag Currency, a term derisively applied to paper money by the opponents of the Greenback party in the days when it was a considerable factor in politics. See GREENBACK PARTY.

Raid, a hostile invasion into adjacent foreign territory or political division by an armed force acting without authority. If later the invasion is sanctioned by the Government of which the raiders are citizens or subjects then the raid becomes an act of war and the sanction a virtual declaration of war. The country whose territory is invaded by raiders is not obliged to treat them as belligerents [q. v.], but may punish them according to its own laws without being held accountable to the State to which they belong.

Railroading, a term applied to the efforts of corrupt members of a Legislative body to force the enactment of questionable measures into laws, without giving time for reasonable scrutiny and debate. This can only be successfully accomplished when the majority is venal or complaisant.

Ratio of Representation, the number of people of a State who are entitled to elect one member of a Legislative body, as the United States House of Representatives. See APPORTIONMENT.

Real Property. Lands, tenements and all fixed improvements belonging thereto are called real property, or real estate, as distinguished from private, or personal, property. The latter comprises all things of value of a nature easily portable.

Rear-Admiral, an officer in the navy of the United States, authorized to command a fleet of battleships; in grade he is third among naval commanders, being ranked by the offices of Admiral and Vice-Admiral. Usually there is no provision for Vice-Admiral [q. v.] in the naval establishment, and much of the time we have had no officer of the grade of Admiral [q. v.]. In such times the Rear-Admiral assumes importance as a ranking officer. The rank in the regular army corresponding to Rear-Admiral is Major-General. There are in the service eighteen Rear-Admirals; the salary of the first nine, by senior-

ity, is $7,500 on sea duty, and $6,345 on shore duty; the second nine receive $5,500 while on sea duty and $4,675 on shore duty. At the age of sixty-two years each officer is retired on reduced pay, but he is yet subject to call in emergencies. See COMPARATIVE RANK IN ARMY AND NAVY.

Rebellion. A deliberately organized and strong opposition to constituted authority is called a rebellion. It is distinguished from insurrection in that the latter, although it is armed resistance to authority, is not well organized and its efforts toward the end sought are spasmodic. It is only when an insurrection becomes strong in equipment and effective in operations that the name rebellion can be correctly applied to it. See INSURGENT; INSURRECTION.

Recall. See INITIATIVE, REFERENDUM AND RECALL.

Recess. See ADJOURNMENT.

Reciprocity. By reciprocity is meant equality or mutual concessions between the people of two nations with respect to commercial privileges each country shall enjoy in trade with the other. Reciprocal relations are established by treaties, which provide that one country shall admit through its ports of entry certain commodities from the reciprocating nation, free of duty, or under a tariff much reduced, in return for similar concessions on other articles which it exports. Each of two nations signing such a treaty is benefited, for the agreed commodities are usually necessities of life, and under reciprocity they can be placed in the hands of consumers without the extra cost which a tariff imposes.

Reconstruction. At the close of the Civil War the relation of the States of the late Confederacy to the Federal Union and the best methods to be adopted to bring them again into that Union were grave problems which taxed the best statesmanship of the nation. There were three prominent views advanced relative to the status of these States. The first, advocated by the President and his Cabinet, held that the secession ordinances had not been passed by the States, as States, but by individuals who were hostile to the Government. According to this theory, the States were never out of the

Union, and whenever hostility ceased and a majority of the citizens expressed a willingness to support the Government, Representatives and Senators should be welcomed again in Congress. The second view held that the Constitution made no provision for secession, and therefore there was no known legal basis by which to approach the solution of the problem. It was declared by these advocates that the States had actually severed their connection with the Union, that they should be forced to frame new Constitutions and as soon as practicable apply for admission to the Union, following the rule applicable to a Territory. The third view was the one which finally secured the majority of adherents; according to it the States, by passing the Ordinance of Secession, placed themselves where they were subject to the control of the Government, to be dealt with as Congress might decide.

In the enactment of the reconstruction policy there was first appointed a committee of Congress to formulate a plan of procedure; second, by the advice of this committee, the Bureau of Refugees, Freedmen and Abandoned Lands was organized for the purpose of taking over abandoned property in each Southern State and apportioning it in small tracts to loyal residents and to negroes; third, governments were established in each of the States, supported by the power of the Federal arms, where necessary; fourth, each State was invited to frame a new Constitution and adopt, with it, the Fourteenth and Fifteenth Amendments. Congress was to be the judge of the adequacy of each step towards restored fellowship among the States. See ADMISSION OF STATES TO THE UNION; CARPET-BAGGERS.

Recorder, another name for Register of Deeds [q. v.], a county officer.

Redemption is the name applied to the means by which soiled or badly-worn paper money is returned to the Government, withdrawn from circulation, and destroyed. Any National bank or sub-treasury will receive from citizens bills of this description and give unsoiled money in exchange, that institution in turn transferring it to the Treasury Department.

If a bill is whole and the printing is distinct enough to admit of identification it will be redeemed at its face value; the same is true if it is in pieces, provided it is possible to prove to the agent of the Government that the fragments are all of the same piece of money and fit properly together. Even if every signature, written or engraved, be indecipherable, yet the bill will be redeemed.

Reed Rules. The rules under which the United States House of Representatives transacts business are to a large extent modifications of the rules put in force by Thomas B. Reed of Maine, when he was Speaker of the House. The Speaker is always chairman of the Committee on Rules, and from this point of vantage he is able to dictate the order of procedure of the body over which he presides. The rule which brought Speaker Reed greatest fame was that compelling members of the House to be on record as present who were in the chamber when a vote was taken. For many years it had been agreed by courtesy that if a member did not wish to put himself on record on a roll-call he could, by refusing to answer to his name, be declared constructively absent. In such a case if a quorum [q. v.] did not answer the call of the roll, the House was powerless to proceed with business. The Speaker, determined to facilitate the transaction of affairs, caused the Committee on Rules to report an order that on a roll-call every member of the House within the chamber should be declared present, whether he voted or not, and that a quorum could not be broken except by actual absence. This rule created an outburst of indignation such as has seldom been witnessed in that body; however, Reed was strong enough to enforce it. In every Congress since then the Speaker has applied the same rule, thus vindicating the good judgment of its author. See Parliamentary Law.

Referendum. See Initiative, Referendum and Recall.

Regent, a person, male or female, who is lawfully appointed to administer a Government for the time being, in place of the regularly constituted authority. There is no provision for a regency in any department of the Government of the United

States. Regents are frequently appointed in the constitutional monarchies of Europe, in the event of long illness or advancing age of a sovereign; almost invariably an appointee is a member of the reigning house, usually of the immediate family of the ruler, and not infrequently the heir to the throne.

In the United States a member of the board of governors of a State University, elected by the people or appointed by the Executive, is a Regent.

Regiment, a unit in the organization of an army, commanded by a Colonel. In the United States army a regiment is composed of one or more battalions of infantry, several squadrons of cavalry, and a division of artillery. Two or more regiments form a brigade, which is commanded by a Brigadier-General. (See the various divisions, in alphabetical order.)

Registered Bond. See Bond.

Register of Deeds. In every county there is an officer known as the Register of Deeds, or County Recorder, who keeps a record, in permanent form, of all deeds, mortgages, village and city plats, and all other information of public value respecting every parcel of real estate in the county. The Register of Deeds is elected at the same time as other county officers; the term is usually two years, and he is eligible to re-election. See County Officers.

Registration. Any election not conducted honestly, in which there is an attempt to thwart the will of any voter, or in which, by intimidation or "repeating," results are reached that do not reflect the sentiment of the majority, is a menace to good government. Many laws have been passed to preserve the purity of the ballot, to the end that there may be an honest count of ballots honestly cast. One of the best safeguards is registration laws, now in force in most of the States. Under these laws, which vary but slightly in different parts of the country, every voter must register his name, address, age, nationality, length of residence in State, county and township, before his local election board or a board of election commissioners. When he votes on election day, his name is again entered on a register for such future reference as may be neces-

sary. Such regulations make it practically impossible for a man to vote more than one time at any election, or to vote in the name of another person. In some States new registrations are required as frequently as once each year. The penalties for fraudulent registration are usually severe. See ELECTIONS.

Repeal is the abrogation or annulment of a statute by a succeeding Legislative act. This may be accomplished by express statement or by reason of provisions in the later act which are inconsistent with parts of the former. In about one-half of the States the repeal of a repealing act revives the first act, without express stipulation to that effect; in the others definite legislation is necessary to put in force again the first act. Usually in case the provisions of a new law are inconsistent with only a portion of an old act, only the inconsistent parts are repealed by implication, the remainder of the first act continuing in full force and effect.

Repeating. This is a species of fraud, ranked in criminal law in some States as a misdemeanor and in others as a felony. It consists in voting two or more times, in different precincts, at an election. Frequently such acts escape detection, but by careful registration systems and the exercise of the right to challenge the legality of any vote, repeating has in most cities become extremely hazardous.

Replevin is an action at law to regain possession of property alleged to be unlawfully held by another; also it is the judicial writ, called a writ of replevin, by which such proceedings are instituted.

Representation in Congress. The number of members who shall compose the Congress of the United States has been the subject of much legislation, so far as the House of Representatives is concerned. The Constitution provides that the number of Senators shall be two from each State, so that matter is entirely beyond Congressional manipulation. Respecting the number of members of the House, the Constitution declares that "The House of Representatives shall be composed of members chosen every second year by the people of the several States * * * " (Article I, Section 2, Clause 1.)

The number of members of this body is therefore subject to changes arising from increase in population and the addition of new States. The makers of the Constitution felt that Congress itself could always be depended upon to judge impartially the needs of the country in this direction, and it has never abused this power.

It was plain that the organizers of the Government expected that the population of the country should be the basis of representation, but until the first census should reveal the number of inhabitants in the various States an arbitrary ruling was necessary. Therefore the Constitution, in Article I, Section 2, Clause 3, provided that—

"The actual enumeration shall be made within three years after the first meeting of the Congress of the United States, and within every subsequent term of ten years * * * . The number of Representatives shall not exceed one for every thirty thousand, but each State shall have at least one Representative."

The first Congress was organized on the basis of the Constitutional apportionment, as contained in the latter part of the clause above quoted; but in 1790, upon completion of the first census, a bill was passed providing that the number of Representatives should be 120; in 1792 a new bill provided a membership of only 105, which gave a ratio of one member to 33,000 population. The plan in vogue then, and until 1850, was to determine first the basis of representation and from that the number of Representatives. In the above year the method was reversed, the number of Representatives being first agreed upon. To find the ratio since then is simply the problem of dividing the population of the country by the total membership already determined. To find the number of members to which a State is entitled, the population of the State is divided by the ratio of representation. See APPORTIONMENT; HOUSE OF REPRESENTATIVES.

Representative Democracy, a country governed by the people, who delegate power or control to representatives selected by them; another term for democratic republic or republic. See DEMOCRACY.

Representative in Congress. See HOUSE OF REPRESENTATIVES.

Reprieve. A reprieve is the temporary withdrawal of a sentence, whereby the execution of it is suspended. It is an Executive function, exercised by the Governor of a State or the President of the United States when in his opinion the circumstances warrant a delay in carrying out the decrees of the law; as, for instance, when a man condemned to death appeals for a stay of execution until certain new evidence in his favor may be investigated with the view to reopening the case and proving him innocent of the crime. A reprieve differs from a pardon in that the latter absolves the convicted person and restores him to the full enjoyment of his liberty. Reprieves when granted are usually for periods of from ten to thirty days, but may be renewed for longer periods when circumstances warrant such action. See PARDON; COMMUTATION OF SENTENCE.

Reprisal is the forcible seizure from an enemy of anything valuable, taken as indemnification or by way of retaliation for damage wrought by him. See MARQUE AND REPRISAL, LETTERS OF.

General Reprisal is the seizure by Government authority of the citizens and the property of a hostile nation, wherever they may be found.

Special Reprisal is the seizure of property by privateers [q. v.] under letters of marque, for redress of injuries.

Republic. A republic is that form of government in which the sovereign power rests in the whole body of citizens; control is exercised through persons elected by the people for that purpose, but the authority of no officer may extend beyond limits imposed by the citizen body. A republic is a near approach to a pure democracy [q. v.]. In the latter all the people meet in one place to make their laws, every citizen having the right to participate; but such a Government can be conducted only within comparatively small territorial limits. If the country is so large and the population so great that one common meeting place in which all may assemble is not possible, the best

substitute is for the people of different sections, in due form and order, to delegate one or more of their number to represent them in the law-making function. When to this plan is added the popular selection of citizen officers to execute these laws, there is established a republic. Another name for republic is representative democracy, which practically suggests its own definition. See reference to FORMS OF GOVERNMENT.

Republican Elephant, a pictorial representation made by popular acceptance the symbol of the Republican party in the politics of the nation. Thomas Nast, a famous cartoonist on *Harper's Weekly,* made first use of the elephant in this connection and all cartoonists have followed his lead. See DEMOCRATIC DONKEY.

Republican Party. The name Republican has been applied to a political organization since the early days of the United States. It was first selected by Thomas Jefferson as a better name than Anti-Federalist with which to oppose the Federalist party of that day. The name was doubtless suggested to Jefferson through his ardent friendship for the French Revolutionists and their republican principles. It was later changed to Democratic-Republican, and the party bearing it continued with the double name until 1829, when the latter word was dropped; as the Democratic party it has since been known.

The modern application of the word Republican dates from 1856, when a new Republican party was called into existence to resist the encroachments of slavery into free territory. Its leaders at first did not advocate the suppression of slavery, but the Civil War, which followed close upon the success of the party at the election of 1860, made the liberation of slaves a political necessity. The party, under the leadership of Abraham Lincoln, met the expectations of the majority of the people and strongly intrenched itself in power. The constructive legislation following the war is to the credit of the Republicans, although marred by occasional serious errors. As the issues changed, the principles of all parties changed, and the Republican party soon championed the principle of protective tariff as a leading issue. After enjoying supremacy in govern-

ment from 1861 to 1885 the Democrats came back to power on the question of tariff reform and held the Presidency and a working majority in Congress for eight years out of the next twelve, when, in 1897, the Republicans again gained control, the main principle for which they fought being a stable currency system (see SINGLE STANDARD; GOLD STANDARD ACT). In 1900 the Democratic party attempted to regain power by denouncing "Imperialism" [q. v.] and the so-called "Trusts," but met defeat, and in 1904 the Republican nominees won the national election by very large popular majorities. See POLITICAL PARTIES IN THE UNITED STATES.

Requisition. The Constitution of the United States (Article IV, Section 2, Clause 2) provides that—

> A person charged in any State with treason, felony, or other crime, who shall flee from justice, and be found in another State, shall, on demand of the Executive authority of the State from which he fled, be delivered up to be removed to the State having jurisdiction of the crime.

This process of returning an alleged criminal to the State where his crime was committed is called requisition. The manner in which the writ is issued and returned is as follows: On demand of the Executive authority of the State, and the production of a copy of the indictment found, or an affidavit made before a magistrate charging the person sought with treason, felony or other crime, then the Governor of the State or Territory to which the suspected person shall have fled may cause the suspect to be arrested and held; notice of the arrest shall be given to the Executive authority making the demand, or to the agent of such authority (usually a Sheriff or his deputy) appointed to receive the fugitive.

The prisoner is thus delivered into the proper hands for return for trial to the scene of his crimes.

It is within the authority of the Governor of the State from which the suspected person fled to refuse to issue requisition papers, if he is strongly of the opinion that the interests of society do not demand the fugitive's return, or if his return is sought to promote political ends. Likewise, the Governor on whom demand is made may refuse to deliver the person, for

like reasons. The instances are rare when a demand of this nature is refused. See EXTRADITION.

Resident, one who resides in a certain place. He may not be a citizen, this being determined by length of residence or by compliance with naturalization laws.

Resignation is the act of resigning, giving up, or refusing a claim, possession or position; it is also the formal document which makes public such act. Any officer of the United States Government or of any State or municipality may resign the position which he holds by virtue of election or appointment.

It is practically certain that no President of the United States will ever retire voluntarily from his office before the expiration of his term. So vast are his obligations and so great his responsibilities that it would be a breach of trust not readily condoned should be announce his withdrawal; yet it would be permissible. The Constitution makes no mention of the manner in which such an act should be consummated, but provides for the emergency by declaring the succession of the Vice-President in case of death, resignation, or inability to discharge the powers and duties of said office. To whom the resignation should be addressed would be left to the discretion of the retiring Executive; it might be in a proclamation to the people, or in a letter to the Vice-President, or in an announcement addressed to Congress, a co-ordinate branch of the Government. Automatically the Vice-President would become Chief Executive upon taking the oath of office.

A member of the Cabinet would address his resignation to the President, from whom came his appointment; all other people holding office by Presidential appointment would take like action. A Senator or Representative in Congress would address his announcement to the Governor of his State; while Congressmen are in a larger sense United States officials, yet their authority to serve is derived from their States.

A Governor of a State holds his position quite in the same way that the President does in his larger field; he would be succeeded by the Lieutenant-Governor. Any other State officer or any County officer would address his resignation to

the Governor. The Mayor of a city would announce his resignation to the board of aldermen; subordinate city officers would address their announcements of withdrawal to the Mayor. See VACANCIES.

Resolution. A resolution, as applied to a Legislative body, is a formal statement, expression or determination proposed for approval, by vote. When passed, it has all the binding force of law, but generally relates to matters below the range of legislation which is intended to be statutory. A resolution may fix the date of adjournment, may call for official documents in the hands of the President, may even propose the admission of new States, or propose an amendment to the Constitution.

Clause 3, Article I, Section 7, of the Constitution, says that "Every order, resolution or vote, to which the concurrence of the Senate and House of Representatives may be necessary (except on a question of adjournment) shall be presented to the President of the United States; and before the same shall take effect, shall be approved by him. . . . . ." This check upon Congress makes impossible the passage of laws under the name of resolutions without the constitutional approval of the President. Of course, any resolution relating to the proceedings of either House, not affecting the other, needs no approval, neither is it brought to the attention of the other House.

A *joint resolution* is one needing the affirmative vote of both Houses and Executive approval to render it effective.

A *concurrent resolution* is one affecting the operation of the two Houses alone; it does not require the signature of the President.

Retired List. In the army and navy of the United States all officers are relieved from active duty by operation of law at the age of sixty-two years; thereafter they may enjoy well-earned rest during the remainder of their lives, except that they must hold themselves in readiness to respond to the call of the Department for service in a time of public danger. When a man's name goes on the retired list he does not sever

his connection with the Department; he is an officer of the Government until his death, and receives in his retirement seventy-five per cent of the salary paid while on active duty.

Returns of Elections. See ELECTIONS.

Revenue is the current income of a Government, from whatever sources derived, which is subject to appropriation for public uses. Money to meet the expenses of the various departments of the United States Government must be raised to the amount of over a billion dollars by every Congress; it may be secured through taxation, direct and indirect. Direct taxation has never been resorted to, and the day when this method must be necessary will doubtless never come. Taxes levied indirectly, in the form of internal revenue and customs duties, supply all our present need, and the opportunity for expansion of revenue and tariff lists to meet unusual requirements is practically limitless. Today every man who uses tobacco or liquor contributes to Government support, because on those products internal revenue is collected; the makers of imitation butter pay a tax and add it to the selling price of their goods. On matches, playing cards and other like articles, revenue was collected for many years, and in any emergency these may again contribute to Government needs. During the Spanish-American War legal papers and checks upon banks were taxed and much revenue was derived therefrom. The above are examples of domestic taxes, or internal revenue.

A favorite method of supplying the Government with money is to levy customs duties upon imports from foreign countries. Every country among the enlightened nations raises a portion of its revenue in this manner, even including the so-called free trade countries. No other method is so satisfactory to the people, as a whole, because much of the burden of tariff schedules falls upon those who can well afford to pay them. If placed upon necessities the rate is usually so low as not to prove burdensome. The cost of maintenance of our institutions is thus well distributed among all classes. For the various phases of the subject, see FREE TRADE; INTERNAL REVENUE; PROTECTIVE TARIFF; TARIFF.

Revenue Cutter, an armed Government vessel, formerly a sailing ship of the cutter-yacht type, but now a fast sailing steamship. It is used in the customs service of the country, to aid in the enforcement of our tariff laws and customhouse regulations; it also enforces navigation laws and affords assistance to vessels in distress. Revenue cutters are under the jurisdiction of the Treasury Department, in whose hands is the administration of all revenue laws.

The revenue cutter service was organized in 1790; there are now nearly forty vessels of this class. There is at Baltimore a Government school of instruction for officers intending to enter the service. See REVENUE.

Review, BOARD OF. See BOARD OF REVIEW.

Rhode Island. The first settlement in this State was made in 1636 by Roger Williams, who fled from religious opposition in Massachusetts. Two years later he persuaded the followers of Anne Hutchinson to join him in establishing a community based upon equality, freedom of belief and separation of Church and State. By 1647 the settlements were numerous enough to demand a government, and a charter was obtained in 1651. The second charter was obtained in 1663, and was in force 150 years. However, with rapid growth and new conditions this charter became obsolete and a change was demanded by many. This was resisted successfully by the majority of the people until 1840, when a Constitutional Convention was held. Two years later a modern Constitution was adopted.

STATE SEAL OF RHODE ISLAND.

Government. The Constitution may be amended by the majority of all the members chosen to each House of the Legislature. A proposed amendment must be published and read in the town meetings prior to election of members of the Legislature, it must be voted upon the second time in each House, and approved by three-fifths' majority of the voters at a popular election. Male citizens of the United States may

vote, provided they have been in the State two years, and in the town or city six months. The Legislature consists of a Senate of 38 members and a House of Representatives of 72 members, all elected annually. Regular sessions convene every January, and are limited in length to sixty days; members receive $5.00 per day while in actual attendance. The officers of the State are the Governor, Lieutenant-Governor, Secretary of State, Attorney-General and Treasurer, all elected annually. At the head of the Judicial Department there is a Supreme Court of five Judges, elected by the Legislature, and they hold office during good behavior. Below this is a Superior Court, holding sessions in each county, and District Courts, each with one Judge. All Judges are elected by the General Assembly.

Rich Man's Dollar. The gold dollar, under the single standard system of coinage of the United States, has been called by the advocates of silver coinage the "rich man's dollar." The assumption is that gold, being the more precious metal, is more difficult to obtain, and therefore the rich man, with his greater resources, possesses advantages not enjoyed by his poorer neighbor. The argument is unsound, as the effects of our coinage laws attest. The advocates of a silver standard argue that if the Government were to institute free coinage of silver, money would necessarily be more plentiful, owing to the great quantities of silver always available. This is not true, but even if it were, no man can honestly possess money he has not earned, no matter how much of it there may be in circulation; "cheap" money has been the cause of much National financial distress. At almost regular intervals the currency question becomes a political issue.

Rider. A rider is a provision added to a bill proposed for passage in a Legislative assembly, having no relation to the bill itself, but attached in order to insure its passage. Standing alone on its merits, it would possibly fail for lack of support, but circumstances often conspire to push it through because of the popularity or necessity of the measure to which it is attached.

A minority of the members of a Legislature or of Congress may desire the passage of an act which is opposed by the majority. In turn, another measure may be able to command about as many votes as are necessary, but its success may be in doubt. The minority may agree to vote for the second measure provided its favored bill is added as a rider. Sometimes an appropriation bill will be stubbornly fought because of certain objectionable items, but it is absolutely essential that appropriation bills shall pass. To bring needed support to such a bill the objecting members may be allowed to attach riders, or the dissenters may force riders upon it by means of amendments. Executives frequently exercise their veto power upon acts thus passed, and take occasion to express their opinion of legislation attempted by such questionable methods.

Many States prohibit such practices by declaring in their Constitutions that only one subject shall be included in any bill, and that its object shall be plainly stated in its title.

Right of Assembly. The privilege of meeting in public and protesting against Government wrongs or formally petitioning for relief from oppressive measures is one of the inalienable rights of a free people; there must be no Legislative act which can deprive them of it. The Constitution as accepted by its makers did not positively guarantee the right of assembly, and so great was the demand for an expressly stipulated safeguard that the first Amendment to be adopted incorporated this "American Bill of Rights," in these words:

> "Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the Government for a redress of grievances."

It should be understood that the free right to assemble does not include the privilege of assembling to commit violence, to overthrow government or to resist execution of the law, whether that law be beneficial or otherwise. The meetings of anarchists in Haymarket Square, Chicago, in 1886, which led to the riot in which many were killed before order was restored, is an example of assembly dangerous to public peace. On the

other hand, political meetings during a Presidential campaign, where the avowed purpose is the defeat of the party in power, serve a good purpose, in making National issues clearer to the people, even though speakers often overstep the bounds of truth. The efforts of a strong opposition party serve to restrain the managers of public affairs from committing unwise acts, Executive or Legislative. See SEDITION; RIOT.

Right of Petition. The right of petition is one of the fundamental principles of the government of every free people. In England it has been recognized since the Revolution of 1688, although at times the ruling House has disregarded all rights interfering with royal prerogative, to the extent that it dared. Instances in point occurred during the trying days preceding the Revolutionary War, when the American colonies sought by petition to secure recognition which was theirs by right as loyal subjects of a constitutional Government. The lesson taught by England in that crisis was not forgotten by the former colonists when the new American nation was established. No specific "bill of rights" was included in their new Constitution, but the First Congress proposed ten Amendments which dispelled all fear that oppression could ever prevail over justice.

No formal method of presenting petitions to any authority has ever been provided; it is within the discretion of the Chief Executive or Legislature or Congress to decide each for itself in what manner it shall receive them. Only once in our history has Congress refused to receive properly authenticated petitions. This was in 1840, when on both sides of the slavery question scores of petitions were presented to Congress through Northern and Southern members, in behalf of their constituents. So much time was consumed in giving them respectful consideration that it was finally determined, inasmuch as no new information was forthcoming and Congress knew then the exact feeling on the subject in every State, to refuse further appeals from either faction.

Right of Search. In international law it is conceded that in time of war a war vessel of one of the contending nations has the right to stop a trading vessel on the high seas and

examine its cargo and ship's papers, to determine whether it contains material designed for the enemy. If found violating the laws of nations governing such matters, both ship and cargo may be confiscated. See CONTRABAND.

In civil life, the right to search private apartments for property unlawfully held is recognized by the laws of every State. Such an investigation must be conducted by formal authority issuing from a magistrate. See SEARCH WARRANT.

Ring. A group of politicians who are banded together for their mutual advantage and who seek profit and power for themselves at the expense of the public, is called a political ring. Samuel J. Tilden once aptly defined it as follows: "* * * a corrupt arrangement which encircles enough influential men in the organization of each party to control the action of both party machines; men who in public push to extremes the abstract ideas of their respective parties, while they secretly join hands in schemes for personal advantage."

River and Harbor Bills are Congressional measures for the improvement of harbors and navigable rivers throughout the United States. The expense of such enterprises is borne by the general Government, on the theory that the whole nation is benefited by whatever increases the means of transportation and facilitates interstate and foreign commerce. Formerly appropriations for rivers and harbors were passed by every Congress under the heading of River and Harbor bills, but since 1875 they have been included in the regular biennial Appropriation bills. Many millions of dollars are spent upon these items. See INTERNAL IMPROVEMENTS.

Riot. A disturbance of the public peace by three or more persons who are assembled for some questionable purpose, and who are determined to carry out their plans by resort to violence, if necessary, constitutes a riot. In some States it is necessary to prove the actual accomplishment of an illegal object before legal action can be taken against participants; in others an attempt by force and violence, with sufficient strength to secure immediate action, is alone necessary, even if no definite results follow the demonstration. The acts must

in every instance, if the charge of rioting is to be sustained, be such as to terrify the people; the common design of the mob must be apparent from the conduct of its members. A noisy, good-natured demonstration in front of the domicile of a newly-married couple could not be called a riot; however, if it should terminate in an ill-tempered affray, in which there was serious fighting and the original object was forgotten in the new situation suddenly developed, there would then be present all the elements of a riot. Rioting is severely punished in all States, the penalties varying according to the seriousness of the offense.

Robbery is the unlawful taking of personal property from its possessor, against his will, accomplished either by force or violence or through fear of injury. The degree of force is not considered, it being sufficient to establish the fact that by one or more of the means noted the act was accomplished. The laws of most of the States recognize three degrees of robbery; these are classified according to the amount of violence, upon the fact as to the assailant being armed with a deadly or dangerous weapon, and whether he had the aid of accomplices. Robbery is a felony [q. v.], punishable by long term of imprisonment, twenty or twenty-five years being the usual maximum penalty.

Roorback. In politics a fictitious story circulated a few hours before an election with the hope of influencing votes is called a roorback. The name was derived from the publication in the campaign of 1844 of a pamphlet entitled "The Tour of Baron Roorback through the Central and Southern States."

Rotation in Office. The policy of permitting every incoming President to discharge Government employes and appoint successors from his own party ranks came to be recognized as "rotation in office." The practice was justified upon the theory that "to the victors belong the spoils of office." Today such a theory of government is no longer tolerated. Faithful employes are protected in their positions by the operation of civil service laws, impartially administered by the National Civil Service Commission, whose members make and

control all minor appointments and pass upon charges preferred against employes. See CIVIL SERVICE; CIVIL SERVICE REFORM.

Rules of Congress. Each House of Congress makes all rules governing its procedure; the Committee on Rules is all powerful in determining what these regulations shall be. In the House of Representatives the Speaker appoints all committees and by the practice of many years he is chairman of the House Committee on Rules; he therefore is the most powerful man in Congress in shaping legislation. In the Senate the presiding officer, the Vice-President, takes no part in legislation, except to vote in case of a tie. The committees of the Senate are appointed by the Senators themselves through a special committee named for the purpose. See COMMITTEES OF CONGRESS.

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Safe-Conduct, one form of passport, used, however, within the country of issue. It entitles the holder to protection of person and property during war operations. A person cannot pass freely through the lines of an army or beyond the zone of operations of a siege unless provided with a safe-conduct from military authorities. See PASSPORT.

Salary Grab. In 1873 a law was passed by Congress by which the salaries of many officers of the Government were raised. It provided that the President should receive $50,000 per year, instead of $25,000, as had been the case since the foundation of the republic; that the Vice-President should receive $10,000, and that the increase should benefit, also, the members of the Cabinet, Justices of the Supreme Court and members of the Senate and House of Representatives. The proposed changes would have met with but little objection had Senators and Representatives, who, of course, were responsible for the passage of the law, not voted that their own increase, from $5,000 to $7,500 per year, should date back to the beginning of the Congress then about to expire—a period of two years. By this means they proposed to present themselves with $5,000 each beyond the compensation to which they were morally entitled. It was this provision which gave to the entire bill the name of "Salary Grab Act." Public indignation was so intense that the law was repealed, except such parts as referred to the President and to the Justices of the Supreme Court.

Salt River, a mythical stream with political significance, existing in the playful imaginations of Americans. Defeated politicians after an election are said by their successful opponents and by the partisans of the victorious ticket to have "gone up Salt River," meaning that they were headed towards oblivion. The phrase is said to have been derived from a certain Salt River in Kentucky; it is a small stream, exceedingly difficult to navigate, and quite unattractive to the voyager.

Salutes. The word salute is from the Latin *salutatio*, "wishing health." Every Government employs artillery salutes fired with blank cartridges, in honor of persons, in celebration of events of National significance, and when it is desired to show respect for the flag of a country. Governmental regulations determine the number of guns that shall constitute special salutes; the rapidity with which the pieces are discharged depends upon their caliber, varying usually from five to ten seconds.

In the United States salutes are never fired before sunrise or after sunset, and never on Sunday. During a salute, the National flag must always be displayed. The National salute is one gun for each State of the Union, and is fired at noon, July 4th, the anniversary of American independence, at each military post or camp provided with artillery. The international salute, or the salute to the flag of a friendly nation, is twenty-one guns. It is the custom of foreign ships of war, when entering a harbor or passing in the vicinity of a fort, to hoist at the fore the flag of the country in whose waters they are sailing and salute it; on the completion of this salute to the flag, the international salute of twenty-one guns is fired by the home guns in return as soon as possible; the time intervening never exceeds twenty-four hours. Military and naval regulations provide special personal salutes, as follows:

To the President of the United States [given on both arrival at and departure from a military post, or when passing the vicinity. No other personal salute is fired in his presence]..... 21 guns
To the Vice-President of the United States and the President of the Senate..... 19 guns
To the Members of the Cabinet, Chief Justice of the U. S., Speaker of the House of Representatives, Governors (within their respective States or Territories)..... 17 guns
To a Committee of Congress, officially visiting a military post or station..... 17 guns
To a General-in-Chief, Field Marshal or Admiral ..... 17 guns
To a Lieut.-General or Vice-Admiral..... 15 guns
To a Major-General or Rear-Admiral ..... 13 guns
To a Brigadier-General or Commodore ..... 11 guns
To the Sovereign or Chief Magistrate of any Foreign Country .... 21 guns

To Members of the Royal Family; namely, the Heir Apparent and Consort of the reigning sovereign of a Foreign Country.....21 guns
To the Viceroy, Governor-General or Governors of Provinces belonging to foreign States.....17 guns
To Ambassadors-Extraordinary and Plenipotentiary.....17 guns
To Envoys-Extraordinary and Ministers-Plenipotentiary .....15 guns
To Ministers Resident, accredited to the United States.....13 guns
To Charges d'Affaires, or subordinate diplomatic agents left in charge of missions in the United States .....11 guns
To Consuls-General, accredited to the United States ..... 9 guns

Why Twenty-One Guns are Fired. The Presidential salute of twenty-one guns was adopted that uniformity in National salutes might be maintained, this being the number of guns for the royal salute of Great Britain. The reason why the number twenty-one should have been selected by the English Government has been the source of much inquiry. Of many surmises, the most probable are, first, that twenty-one represents the number of years at which one reaches his majority; second, that seven (the Biblical seven representing completion) was the original number, and that three times seven would signify seven for each of the divisions, England and Wales, Scotland, and Ireland. One English investigator insisted that the United States adopted this salute to inform the mother country that her child had reached his majority, and was prepared by law to inherit the land; to this end the authorities fired the "gun of 1776," the figures of which year, 1+7+7 +6, equal twenty-one.

Scotch Verdict. Juries in Scotland may legally agree upon the verdict, "Not proven," when they are unable definitely to declare the accused person either innocent or guilty. This form is known as the "Scotch verdict" throughout the world; it has the same legal effect as a verdict of "Not guilty," and is a bar to a second trial of the defendant on the same charge. This form of verdict is not legal in the United States.

Scratched Ticket. If a voter casts a ballot for the nominees of his party exactly as printed on the ballot, he is said to vote a "straight" ticket. If he chooses to reject certain names and vote for men of another party whom he considers more worthy

for the office, he is said to "scratch" his ticket. Straight voting is a mark of so-called "party regularity"; a "scratched," or "split," ticket, on the other hand, indicates generally an endeavor to exercise faithfully the important elective franchise. Party regularity is earnestly desired by the practical politician, for his schemes are surer to succeed under such balloting, while independence in voting is constantly raising the grade of our public officers. See INDEPENDENTS.

Seal. A seal is any distinguishing mark or impression upon paper or some substance such as wax, bearing special mark, device or words, and in such form as makes it attachable to a document for purposes of authentication, or to serve as a signature. The practice of attaching seals to documents comes down to us from the days of Greece and Rome. The early popes authenticated their announcements with leaden seals, called *bullae*, from which we get the Pope's bull of this day.

All modern nations have Great Seals which appear on all diplomatic and other State papers; in the United States the Great Seal is in custody of the Secretary of State, by whose authority it is impressed upon Executive papers. The States of the Union have seals, although their use in some of them is not obligatory; the substitution permitted under such cases is a pen-and-ink scroll with the letters L. S. (*locus sigilli*, the place of the seal). See the various States, in alphabetical order.

Sea-Letter, another name for passport. Originally, however, in the United States, a sea-letter was a certificate showing the American character of an American-owned, but unregistered, vessel. See PASSPORT.

GREAT SEAL OF THE CONFEDERATE STATES. ONE-HALF ACTUAL SIZE.

Seal of the Confederacy. The design for the Great Seal of the Confederate States of America was adopted April 30, 1863, by the Confederate Congress. It consisted of "a device bearing an equestrian portrait of Washington (after the statue which

surmounts his monument in the Capitol square at Richmond), surrounded with a wreath composed of the principal agricultural products of the Confederacy (cotton, tobacco, sugar cane, corn, wheat and rice), and having around its margin the words, 'The Confederate States of America, twenty-second February, eighteen hundred and sixty-two,' with the following motto: '*Deo Vindice*'." The seal was made in England at a cost of $600. It reached Richmond in April, 1865, but was never used, and now is a relic preserved in the office of the Secretary of State of South Carolina.

Seal of the United States. See GREAT SEAL OF THE UNITED STATES.

Sea Power, a term which designates those elements of National strength which are derived from the free use of the sea, or those elements which in themselves procure and assure such use. It means, as generally understood, naval development, although it has a somewhat broader significance to the naval man. Ships alone, regardless of their superior construction and equipment, are not always the best evidence of great sea power.

In comparative strength of navies, the United States ranks second in the number of warships, being surpassed only by Great Britain. Germany is third, France fourth, and Japan fifth, with Russia and Italy following.

Search Warrant. That "a man's house is his castle" is recognized by every Government which respects the rights of its people. The Scotchman said, respecting his modest home, that the rain might find entrance, the winds might force their way into it unbidden, but without the owner's pleasure the King of England might not enter. This typifies the sacredness of the home from intrusion. However, for the good of society, conservators of the peace must have the right to enter any home, on sufficient pretext. If it is believed that private apartments hold property belonging to persons from whom it was wrongfully obtained, officers may search the premises, but only by authority of a magistrate who issues a search warrant. This warrant specifies in detail the object of the investigation.

If the servers of the writ exceed the authority granted them in the document they are personally liable to punishment. See RIGHT OF SEARCH.

Seat of Government. See CAPITALS OF THE UNITED STATES.

Secession is the act of withdrawing from fellowship; in our civil government it refers to the withdrawal of a State from the Federal Union. The doctrine of secession doubtless was a development of the original idea of National organization following the Declaration of Independence. In the new Government, under the Articles of Confederation, the States could exercise complete independence of each other in any current matter, even going to the extreme of withdrawal from the compact of union. In the Constitutional Convention it was not a matter of surprise to find a powerful faction in favor of State sovereignty, determined to make individual freedom of State action a fundamental principle of the new republic. The idea was defeated there, but came sharply before the country again in the Kentucky and Virginia Resolutions. The New England States claimed the right to secede during the War of 1812, but a crisis was happily averted. With the division of the North and South on the question of slavery, the privilege of a State to retire from the Union was challenged by the North when eleven States formally announced their withdrawal and organized a new Government. Success to the Southern arms in the Civil War would have established the principle of secession, so far as it applied to the members of the Southern Confederacy; the means they employed to form that union could be invoked by any one of them at any time to dissolve it. However, even in such event, the North, a unit for Federal indivisibility, would not have admitted the constitutionality of such a doctrine, although obliged to part with eleven States through a test of strength.

The final result of the struggle settled the question for all time—"the Union, now and forever * * * * * * !" See KENTUCKY RESOLUTIONS; STATE SOVEREIGNTY; NULLIFICATION.

Secretary of Legation. Every foreign embassy includes in its personnel a clerk, or secretary, who has oversight of all routine matters. The office of Secretary of Legation is important, for in the absence, or in the event of the death, of the Ambassador or Minister, the Secretary temporarily assumes the responsibilities of his chief. In all important embassies the Secretary has one or more assistants. See DIPLOMATIC SERVICE.

Secret Service. The department of the Federal Government which attempts to unearth fraud and crime against the laws of the nation is called the Secret Service. It is a splendidly organized detective agency, with the limitless resources of the Government behind it. The Secret Service is a bureau in the Treasury Department, probably owing to the fact that it was first organized (in 1860) to capture counterfeiters of our gold and silver coin. During the Civil War it rendered invaluable service in every field which demanded accurate information and quickness in the dispatch of secret intelligence.

The operations of the Secret Service are under the direction of a Chief, who is given a first assistant and an ample clerical force. The country is divided into twenty-eight districts; at the head of each, in the most important city, is the "operative in charge." It is deemed proper to withhold from the public all information relative to the number of operatives in the field, their names and stations, etc. While the special work of the Service is the detection and punishment of counterfeiters, it is called upon for many other duties which are important to the Government. During the Spanish-American War its agents arrested many Spanish agents who were gathering facts here for use against us. Any Department at Washington may make requisition for operatives at any time. There is a regular detail whose duty is the protection of the President and high officials of foreign countries who are in Washington on official business.

Sedition. Words or actions which incite the hearer to rebellion against the authority of the State, or which bring into contempt the Constitution or Government, constitute sedition, if the incitement is not followed by the overt act of treason. Laws of Congress passed many years ago clearly

define and provide for the punishment of sedition, in the following language:

"If two or more persons in any State or Territory conspire to overthrow, put down, or destroy by force, the Government of the United States, or levy war against them, or oppose by force the authority thereof; or by force to prevent, hinder, or delay the execution of any law of the United States; or by force to seize, take, or possess any property of the United States, contrary to the authority thereof; each of them shall be punished by a fine of not less than five hundred dollars and not more than five thousand dollars, or by imprisonment with or without hard labor, for a period of not less than six months nor more than six years, or by both such fine and such imprisonment."

Seditious language may lead to acts of treason if it inflame passions to the point of offering aid or comfort to the enemies of one's country. See TREASON.

Seigniorage. The profit made by the Government from the coinage of gold and silver into legal tender is called seigniorage. It represents the difference between the cost of the bullion purchased for coinage and the face value of the same after it is coined.

Under present laws any man may take gold bullion to the mint and have it coined into money, receiving dollar's worth for dollar's worth, except that a small charge is made for the expense of coining. This deduction is called seigniorage. See COINAGE, UNITED STATES.

Senate of the United States. In the Constitutional Convention it was decided without a great deal of debate that the Congress, or law-making department of the new Government, should be composed of two bodies. These were named the Senate and the House of Representatives. The latter, the most numerous branch, was to be chosen by the people by popular vote. How to select the members of the Senate, and what should be the length of their terms of service, were much discussed questions. Almost every possible method of selection was suggested: (1) By direct vote of the people, as in the House of Representatives; (2) by election by State Legislatures; (3) by election by the House of Representatives; (4) by election by the House of Representatives from a selected list of names

proposed by State Legislatures; (5) by appointment by the President from a list of names proposed by State Legislatures. Choice by election at the hands of State Legislatures was accepted as a middle ground upon which all could agree. There was little difference of opinion upon the right of the Legislatures to influence the election, for the Senators were to represent the States, as units, rather than the people as individuals. In the House of Representatives were to be found the people's direct and individual representation.

The length of the term of Senators was a matter of varied opinion. Some members of the Convention, possibly with an eye upon Senatorships for themselves, favored terms for life, or during good behavior; others preferred eight-, six-, or four-year terms. A reasonable middle position again won—six years, the life of three Congresses.

Manner of Election. When it is necessary to elect a Senator in any State, the Legislature by joint resolution [q. v.] may fix a time upon which to begin balloting; however, the State Constitution may prescribe the day of the Legislative session on which the first ballot must be taken. On a date previous to balloting the members of each political party represented in the Legislature meet in caucus and nominate a man who shall receive their votes for Senator (see KING CAUCUS). When the first ballot is taken each House sits separately and casts its vote. On the next day at noon the House and Senate meet together and the result of the votes in the two Houses on the day before is announced. If one person has received a majority of all the votes cast he is declared to be the Senator-elect; if no election has occurred another vote is at once taken, the two Houses sitting together, and at least one joint ballot each legislative day shall be taken until some person is duly chosen. It is permissible, however, for the members to declare, in case of deadlock, that an election is impossible; then adjournment may follow.

If the Legislature fails to elect, the Governor may appoint a Senator, whose term will expire upon the date of the next meeting of the Legislature. If a vacancy occurs, the Governor

holds the same power of appointment, or, in his judgment, he may call the Legislature together in special session to fill the vacancy. In the latter event, the Senator chosen fills out the remainder of the unexpired term.

Salary. While the Senators represent the States in Congress, yet the work upon which they engage is National in its scope, and they are paid from Government funds. The rate of payment has varied from time to time, as will be seen from the following table:

From 1789 to 1815	$ 6.00 per day.
" 1815 " 1817	$1,500 per year.
" 1817 " 1855	$ 8.00 per day.
" 1855 " 1865	$3,000 per year
" 1865 " 1871	$5,000 per year.
" 1871 " 1874	$7,500 per year.
" 1874 " 1907	$5,000 per year.
" 1907 " ——	$7,500 per year.

During the whole time the Senators have received the same salary as Representatives, except that in the year 1795 for a few months Senators received one dollar per day more than the members of the House. See CONGRESS; COMMITTEES OF CONGRESS; HOUSE OF REPRESENTATIVES.

Senator. See SENATE OF THE UNITED STATES.

Sergeant, a non-commissioned officer of a company of soldiers, ranking above a corporal. It is the duty of a sergeant to see that good order is preserved at quarters, to instruct recruits in military tactics, and to command small detachments on special expeditions. See COMPANY.

Sergeant=at=Arms. Every deliberative body elects or causes the appointment of an officer called the sergeant-at-arms. He is given executive authority; he enforces the orders of the presiding officer, serves warrants, and arrests members for disorderly conduct or for delinquency. In some cases he has charge of the payrolls.

In the Congress of the United States the sergeants-at-arms of the two Houses are important officers. Their authority cannot be ignored when a member receives an official communication from that source. If a member is needed in either

House to complete a quorum his sergeant-at-arms may arrest him, wherever found, and compel his appearance. When the sergeant-at-arms carries the mace [q. v.] down the aisle of either House that emblem in those hands should instantly quell any disturbance; should any member continue boisterous after such a demonstration he is guilty of contempt.

Session. A session constitutes the sitting together of an organized body for the purpose of transacting business; in point of time it is usually considered as extending over such a period as is unbroken by final adjournment. From another view, it may in point of time extend only from the opening to the close of deliberations, extending through one sitting only.

Sheriff, the chief civil officer of a county. He is invested by the State with certain Executive functions. The principal duty of the Sheriff is the preservation of the peace within his county; in incorporated cities he is to some extent relieved of these duties by the municipal police force, but his full authority, even here, is not surrendered.

When a serious disturbance of the peace occurs anywhere in the county outside of the precincts in which a police force operates, the Sheriff assumes control, appoints deputies in any required number to assist him, and uses such power as is necessary to restore order. In the event that he is unable to become master of such a situation, he may appeal to the Governor of the State, his immediate superior Executive officer, for one or more companies of militia to aid him. See MILITIA.

The Sheriff is present at the sessions of the County, or Circuit, Court, in his capacity of peace officer, and it is his duty to attend to the execution of all writs, warrants and summonses issued by the court which are placed in his hands. He has charge of the county jail and of the prisoners there confined. Several regularly appointed assistants called Deputy Sheriffs are clothed with power to act in place of the Sheriff, and at his suggestion. Any citizen may be commanded to serve as a Deputy in time of public disorder, and for failure to respond a penalty is fixed, which varies in different States.

The office of Sheriff is nearly always elective; the term is in most States two years, and in perhaps half of them he may serve only two successive terms. See COUNTY OFFICERS.

Shinplasters. During the Civil War currency of all kinds became very scarce and in some sections almost disappeared from circulation. To relieve the stringency the people, especially small merchants, were forced to circulate postage stamps and their promissory notes for small amounts; these latter were accepted as money only within the range of the makers' acquaintance, and were naturally the object of suspicion elsewhere. In derision it was declared their best value lay in their availability as plasters for broken shins. From this facetious opinion they derived their name.

Later the Government issued paper money in denominations of three, five, ten and twenty-five cents, to which the same name was given, in memory of the makeshift currency of the former day.

Short Session of Congress. See CONGRESS.

Sic Semper Tyrannis. This is the motto of the State of Virginia; it is a Latin phrase signifying, "Thus always to tyrants." The words are especially memorable as having been used by the slayer of President Lincoln as he emerged from the private box of the President after the assassination.

Signal Service. An organization within the War Department for prompt and secret communication between the parts of an army was named the Signal Service. Men are specially trained for the work; the equipment consists of torches for use at night, flags, heliostats, telegraph and telephones, and various other instruments which can be of service. In times of peace, when army maneuvers are infrequent, the Signal Service is a comparatively unimportant branch of the army. Because of this fact, since 1870 it has had charge of the weather bureau [q. v.].

Silk Stockings is a name applied in derision by professional politicians to those citizens of wealth and position who occasionally take a part in politics. The aim of the bettter class is usually reform; the man who makes his living in politics,

or who at least enjoys certain emoluments therefrom, naturally resents interference. See KID GLOVE POLITICS.

Silver Bill. The most notable bill ever passed by Congress in behalf of the monetization of silver was called the Bland Silver Bill, drawn by Representative Bland of Missouri, and enacted into law in 1877. It was the culmination of a long agitation throughout the country for the free and unlimited coinage of silver by all the mints of the United States, and the bill originally provided for such coinage. The coinage of the silver dollar had been abandoned since its demonetization in 1873, and the leading adherents of bimetallism were anxious to have it restored and placed on an equality with the gold dollar as a unit of value. Under the provisions of the Bland Bill, it was expected that these objects would be accomplished, but when the bill reached the Senate, it received treatment directly opposite to its original purpose, because the clause providing for the free and unlimited coinage of silver was stricken out. However, the bimetallists of the Senate succeeded in amending the bill to the extent that the Secretary of the Treasury should be directed to purchase each month not less than $2,000,000, and not more than $4,000,000 worth of silver bullion at the market price; that this bullion should be coined into silver dollars; and these dollars should be legal tender in unlimited amount for payment of all debts. In that form the bill passed both houses and was a law until 1890, when by another act the obligation to purchase and coin silver was repealed. Therefore, it will be seen that the Bland Act inaugurated the campaign for the free and unlimited coinage of silver, whose later champion was William Jennings Bryan. See FREE COINAGE; GOLD STANDARD ACT.

Silver Certificates. By an act of Congress in 1878, any person was privileged to take silver bullion in any quantity to the United States Treasury and exchange it for paper money, called "silver certificates." While this paper money has in itself no intrinsic value, the Government's promise, printed on the face of the bill, that it will pay "to the bearer on demand" silver dollars to the amount deposited to secure its issue,

makes the silver certificate a popular form of money. Enough silver must be retained in the Treasury to redeem all outstanding certificates. These certificates are in denominations of one, two and five dollars, and are receivable by the Government for all debts due to the Treasury. They are not legal tender for any amount among the people, but, from the fact that a silver certificate may be taken to any Sub-Treasury and exchanged for equal value in silver coin, they are everywhere accepted by common consent as full legal tender. See GOLD CERTIFICATES; MONEY.

Silver Grays, a division of the Whig party which supported the administration of President Fillmore and who differed with the main Whig organization in believing that the Compromise of 1850 definitely settled the slavery question. The name was applied to the faction because nearly all its leaders were elderly, gray-haired men.

Silver Question. Whether silver bullion shall be received at the mints and coined into money on the same terms as gold bullion is received, and at a value compared to gold which should be regulated by law, has given prominence at various times in our history to what is termed the "silver question." There has always been a strong minority of the people who have favored the use of silver as a basal money, or gold and silver together, on a ratio of values established by law; however, the legislation of the leading nations of the world seems to favor one single standard of value, and that favored standard is gold, the most precious metal, and the one which fluctuates least in value. For fuller details of the various phases of the subject, see BIMETALLISM; GOLD STANDARD ACT.

Silver Republican Party, a faction of the Republican party which left the parent organization in 1896 because of differences of opinion on the currency question. The Republican party favored the gold standard, or single standard, system of coinage, a policy especially objectionable in those Western States whose mines produced large quantities of silver. The party was strong only in those few States; it did not put in nomination a candidate for the Presidency, but indorsed the Democratic nominee,

William J. Bryan, who advocated the unlimited coinage of both gold and silver at the fixed ratio of value of 16 to 1. The members of the Silver Republican party have been absorbed by the Democratic organization, only a few returning to the Republican party.

Sine Die. See ADJOURNMENT.

Single Standard, the name applied to a monetary standard of value based on one metal, rather than a system which is based upon the parity of two metals, at a comparative value fixed by law. See DOUBLE STANDARD; BIMETALLISM; GOLD STANDARD ACT.

Single Tax is a proposed scheme of taxation, not yet seriously considered by the majority of people, whereby the entire revenues of a State shall be raised by a tax levy upon one single object. We pay now every year taxes levied upon various items, such as real estate, personal property, certain animals, etc., and the funds thus realized are applied to the expenses of administration, schools, roads, and other public needs. The advocate of a single tax would abolish all except one source of revenue; he would raise public money by taxing vacant (unimproved) real estate, or real estate with its improvements, or by levying an assessment based upon the rental value of property only, as the circumstances might warrant. The adoption of such a system would re-distribute the burden of taxation, and possibly, in some contingencies, distribute it more equitably. There are many arguments in favor of single tax and others apparently vital to the welfare of the State which would seem to make its adoption of doubtful expediency. Henry George was the foremost champion of the plan in the United States. Interest in the matter has somewhat abated since his death in 1897.

Sinking Fund. A sinking fund is an amount of money set apart at regular intervals, as yearly, to provide for the cancellation of a debt due in the future or to secure funds for expected future expenditure. It is proper for a Government to pay its National debt in this way; a State may cancel its bonded obligations by laying aside a part of the amount each

year, thus distributing the burden of taxation necessary to liquidation over a number of years. A school district, in need of a new building, may provide a part of the funds, or the entire amount needed, by laying a tax to be diverted into a sinking fund for a period of years. Nearly every State Constitution provides that sinking funds of public corporations shall be placed at compound interest until needed. A common example of sinking fund is shown in the act of a man who places a dollar each week into a fund which he sets aside for the future purchase of a coveted article.

"Sixteen=to=One" was the rallying cry of the Democratic party in the Presidential campaign of 1896, contested by William McKinley, on the Republican ticket, and by William Jennings Bryan, on the ticket placed in nomination by the radical branch of the Democratic organization. Thousands of conservative Democrats refused to endorse the candidate of their party, and these supported either Candidate McKinley or General Buckner, the nominee of the "Gold Democrats." Mr. Bryan advocated the free and unlimited coinage of silver, based on a comparative standard of value with gold at the ratio of 16 to 1—sixteen ounces of silver to be decreed by legislation to be equal in value to one ounce of gold, without regard to the market value of the former metal. At the time the commercial ratio of silver to gold was about 31 to 1, but the silver advocates declared that such legislation as they proposed would at once double the market value of silver and justify the ratio demanded. The currency system of the country, in the event of the success of the Democratic program, would have been bimetallic, the two metals being coined thereafter without discrimination against either, and their parity maintained by statute. The campaign was the most hotly contested of any since the Civil War. McKinley overwhelmingly defeated Bryan, and although the latter was the Democratic candidate again in 1900 and 1908, the silver question was not again an issue. See Bimetallism; Gold Standard Act.

Slander. By the First Amendment to the Constitution the people are guaranteed "freedom of speech and of the press."

In order to protect society from unscrupulous persons, laws have been passed by all the States prescribing penalties against those who overstep the bounds of truth in speech or in print. It is lawful to print or speak anything which is true; no statute can be constitutional which will deny this right.

Slander is a false tale or report, uttered with malice and designed to injure the reputation, character and standing of another. The ground of all liability to an action for slander must consist in an injury to character, such as will tend to degrade the complainant in the eyes of his fellow men. See LIBEL; FREEDOM OF SPEECH.

Slavery. The involuntary servitude in which the negro was held in the United States under colonial governments was a question of long debate in the Constitutional Convention. To decide for or against slavery appeared to be an impossible task; public sentiment was too evenly divided. No nation in the world up to that day had abolished the slave trade, although the importation of negroes had been prohibited in all of our colonies except North Carolina, South Carolina and Georgia. These three States of the new Union demanded that the rights they held should not be denied them under the new Government, and the following clause of the Constitution (Article I, Section 9, Clause 1) was adopted as a compromise:

> The migration or importation of such persons as any of the states now existing shall think proper to admit shall not be prohibited by the congress prior to the year one thousand eight hundred and eight, but a tax or duty may be imposed on such importation, not exceeding $10 for each person.

The three States mentioned were thus privileged to continue the slave trade until 1808. In that year Congress entirely abolished the traffic, by an act passed in 1807, to take effect January 1, 1808. Thereafter the institution of slavery depended for growth upon the natural increase in the negro population.

The word "slave," as a concession to the opponents of slavery, was not mentioned in the Constitution. It did not appear there in any of its forms until the adoption of the Thirteenth Amendment, in April, 1865. By this amendment

slavery was removed forever from the political and industrial life of the nation. Some of the important measures passed by Congress from 1820 to 1860 relative to the question of slavery will be found discussed under their proper headings in this work.

Smuggle. To smuggle is to carry secretly into or out of a country articles upon which import or export duties are imposed. No country under normal conditions lays export duties, so smuggling is an offense directed almost entirely against import duties. To prevent this crime the Government employs customs inspectors at every port of entry, whose duty it is to inspect carefully all baggage of passengers arriving from foreign ports; the examination may extend to an inspection of the clothing worn by anyone suspected of secreting valuable articles. The offense of smuggling is usually punished by confiscation of the articles smuggled; in addition, cash penalty three times the value of the goods may be imposed. In the case of habitual offenders, the Federal courts may impose a fine not exceeding five thousand dollars, or may sentence to imprisonment for a term not exceeding two years.

Socialist Party, a minor political organization in the United States which advocates the seizure by the working classes of the whole system of government and its operation thereafter in the interest of the wage-earner rather than the capitalist.

Its platform pledges the party to work and vote for shortened days of labor and increased wages; for the insurance of workers against sickness, accident and lack of employment; for pensions for aged and exhausted workers; for public ownership of the means of transportation, communication and exchange; for the graduated taxation of incomes, inheritances and of franchise and land values; for equal suffrage of men and women; for the prevention of the use of military against labor in the settlement of strikes; for the free administration of justice; for the initiative, referendum and proportional representation, and for the recall of officers by their constituents. These things, it is declared, are but a preparation of the workers to seize the whole powers of government in order that they may thereby lay hold of the whole system of industry and thus come

into their rightful inheritance. See POLITICAL PARTIES IN THE UNITED STATES; INITIATIVE, REFERENDUM AND RECALL.

Soft Money, a colloquial expression, limited in use to the United States. It refers to paper money, as distinguished from coin (gold and silver), which in financial circles is sometimes termed hard money.

Solicitor-General. In the Department of Justice the officer next in rank to the Attorney-General is the Solicitor-General. The salary of this officer is $7,500 per year. The office ranks above the Assistant to the Attorney-General, whose salary is $7,000. See JUDICIAL DEPARTMENT; ATTORNEY-GENERAL.

Solid South. The sympathy of the white people of the South has been with the Democratic party and against the Republican party since the organization of the latter, in 1856. The reason is that the Republicans in Civil War times espoused the cause of the negro, and in subsequent legislation they have protected the interests of that race, often against the protests of Southern whites, who have contended for white domination in all public matters. In every election since President Hayes withdrew Federal troops from the South, the Democratic party has triumphed in every Southern State; the returns have shown a "Solid South" for Democracy. In recent National campaigns party lines have not been so closely drawn; there are evidences that the "solidity" is perhaps to be broken. This is due to new and vital issues in which North and South have a common interest, and to the fact that a new generation has reached voting age—a generation not personally involved in past gigantic political and military struggles.

Sons of Veterans, a patriotic, semi-military organization, to which only sons of Civil War veterans—soldiers, sailors and marines—are eligible as members. The order was formed in Philadelphia in 1880, to preserve the principles for which their fathers fought. It has about 35,000 members, in twenty-nine different States. See GRAND ARMY OF THE REPUBLIC.

Sorehead. A sorehead in public affairs is a person who has not only been disappointed in his ambitious political designs, but who adds to his disappointment a personal grievance against

those who helped to bring about his defeat. He may go to the extreme of deserting his party, or may simply abandon it temporarily, returning later in better humor.

South Carolina. The Carolinas were named in honor of King Charles I of England. The land was claimed by England because of explorations by the Cabots. The first settlement was made about 1670, and the government was largely in the hands of Proprietors, subject only to a limiting power of the colonists themselves. The South Carolina settlements were prosperous from the beginning, and were long loyal to Great Britain while their northern neighbors were wavering in their allegiance. The colony opposed the non-importation agreement of 1769, but sent money to the aid of Boston in 1774, and was the first of the colonies in 1776 to adopt a Constitution. On December 23rd, 1788, South Carolina adopted the Federal Constitution, and two years later a State Constitution.

STATE SEAL OF SOUTH CAROLINA

Government. There have been in the State six Constitutions, adopted in 1776, 1778, 1790, 1865, 1868, and 1895. Amendment is possible by vote of two-thirds of each House of the Legislature, followed by ratification at a State election, after which, there must be another majority vote of each House of the Legislature. Male citizens may vote if they have been in the State two years, in the county one year and in the precinct four months, provided they have registered and have paid their poll tax. The Legislature consists of a Senate of 41 members, elected for four years, and a House of Representatives of 124 members, elected for two years. Regular sessions are held annually and are not limited in length, except that after forty days members cannot receive remuneration. During the first forty days they receive $4.00 per day. The State officers are the Governor, Lieutenant-Governor, Secretary of State, Treasurer, Attorney-General, Controller-General, Adjutant-General and Superintendent of Public Instruction.

At the head of the Judicial system is a Supreme Court of four Justices, elected by the Legislature for eight years. There is the Court of Common Pleas, and the Court of General Sesisons, the Judges of which are chosen by the Legislature for four years; there are also County and Municipal courts.

South Dakota. The present State of South Dakota was a part of the Louisiana Purchase of 1803, and was explored by the Lewis and Clark expedition of the following year. The first settlements were made in 1829 and 1831. Dakota Territory, including the present North and South Dakota, was organized in March, 1861. In its original limits, it also included large parts of border States. The first move for statehood was made in 1883, when a Constitution was adopted and presented to Congress. In 1889 an act was passed for the admission of the two Dakotas, and they were admitted as States on November 3rd.

STATE SEAL OF SOUTH DAKOTA.

Government. South Dakota has had but one Constitution, adopted in 1889, as a preliminary step to statehood. The Constitution may be amended by majority vote of both Houses of the Legislature and subsequent ratification by majority vote of electors of the State. South Dakota is one of the States which permit foreigners to vote before they have become naturalized, but they must have lived within the United States one year, in the State six months, in the county thirty days and in the precinct ten days before they are eligible to vote. No foreigner may vote unless he has taken out his first set of naturalization papers. The Legislature consists of a Senate of not less than 25 nor more than 45 members, and a House of Representatives of not less than 75 nor more than 135 members, all elected for terms of two years. Regular sessions are held biennially, and are limited to sixty days; members receive $5.00 per day for actual attendance. The officers of the State are the Governor, Lieutenant-Governor, Secretary of State, Auditor, Treasurer, Superintendent of Public Instruction, and

Attorney-General, all elected for terms of two years. All are eligible to re-election, except the Treasurer. The Supreme Court of three Judges, elected for six years each, is at the head of the State Judicial system. Below is the Circuit Court, with Judges elected for four years; County courts, with judges holding office for two years; and there may be a system of separate courts in cities.

Sovereign Power is supreme jurisdiction and authority, not subject to interpretation and possible reversal by higher powers. A country is a sovereign power if it acknowledges no political dependency upon, or allegiance to, any other country. A State of the Union is sovereign with respect to its own internal affairs, but in the true sense it is not sovereign—it acknowledges higher authority in the Federal Government. France is a sovereign State; England is not, for it is a member of the group of minor governments composing the Kingdom of Great Britain and Ireland.

Sovereignty means the original, absolute and universal power by which all persons in a State are controlled. The theory underlying a republican form of government is that this universal power to control lies in the people, and that they choose agents from their own number to enforce the rules of government which they themselves formulate in representative assembly. If a majority of the people of the United States unite upon an idea not contrary to our basal principle of government—the Constitution—the will of that majority is sovereign; there is no higher power which may deny the majority its right to rule. The Constitution is supreme even above the wish of the majority, unless they choose to amend it, because the people themselves in the beginning elevate it to the supreme place as their perpetual political standard. Whether sovereignty resides in the people of the several States as citizens of those States, or in the same people as citizens of the United States, was unsettled until determined by the issues of the Civil War. State sovereignty is limited by the supreme authority of the people of the United States. See STATE SOVEREIGNTY; NULLIFICATION.

Speaker of the House. The Constitution, in Article I, Section 2, Clause 5, declares that "the House of Representatives shall choose their Speaker and other officers * * * * *." It is possible for that body to choose as its presiding officer a man not a member of the House, and this was done once in the early days of our history. A Speaker so chosen could neither vote nor participate in debate; his position, to that extent, would parallel the office of Vice-President; that officer, as President of the Senate, is not a member of that body, and his duty is merely to direct proceedings in an orderly manner.

The House early determined that the honor of the Speakership should be bestowed upon one of its own members, who, like them, had received his commission as legislator direct from the people. The Speaker, therefore, is now always a member of the body over which he presides; he is entitled to vote upon all questions and may, by calling another member to the temporary chairmanship, participate in debate. In dignity, he is third in governmental circles, being classed below the President and Vice-President; in power, he is second only to the President.

The Speaker is responsible for the progress of legislation through the House. To be held accountable he should have power to determine largely the organization of the body and the manner of its procedure. The Committee on Rules dictates the order of procedure; the Speaker is Chairman of this committee and dominates it. He appoints every committee of the House and from his decisions on committee assignments there is no appeal. Possibly he has become somewhat arbitrary in his rulings and autocratic sometimes in his treatment of members who wish recognition, but he is the creature of the House, and the House, in the last analysis, is master, with the power of the majority to discipline the servant. In nearly every Congress a portion of the members attempt to induce the majority to curtail the immense power of the Speakership, but no success attends the efforts. The reason is that the House is a large and sometimes noisy body, requiring a strong hand to hold it within bounds, and that almost without exception the Speakers have not used their power except for the public good.

The Speaker is elected at the beginning of every new Congress; he is eligible to re-election at the pleasure of his colleagues. The salary of this officer is $12,000 per year—$4,500 more than any other member of Congress. Previous to 1907 it was $8,000. The Vice-President and Speaker receive the same compensation. See HOUSE OF REPRESENTATIVES; COMMITTEES OF CONGRESS.

Specie is coin of gold, silver, copper or other metal, issued by Government authority and stamped on its face with figures or words indicating its value as legal tender money. Another name for specie is "hard money," meaning metal money.

Specific Duties. See CUSTOMS DUTIES.

Spoils System. A favorite maxim of "practical politicians"—the men who aim to control primaries and conventions, dictate nominations and promote the election of men whom afterward they may look to for favors—is that "to the victors belong the spoils." According to this creed the party winning a National election should by right of conquest be given the political positions under the Government; it was argued that party adherence could best be secured by promises of place and power and known ability to deliver the thing promised. Therefore, at every change of party in incoming administrations, until a very few years ago, the cry of "turn the rascals out" was heard the day after election, and was followed by thousands of dismissals, even down to those holding ill-paid clerical positions; the places thus vacated were at the disposal of the new political powers, to be parcelled out to "the faithful." No public good ever resulted from selection of employes by such methods; some clerks were inefficient, others felt that their positions were secure only so long as the party in power retained its ascendency; many looked for protection against dismissal for cause to the influences which placed them on the salary list. It would be unfair, however, not to admit that many faithful and efficient workers received appointment by these methods.

Public opinion against the spoils system grew stronger year by year, as its objectionable features were forced to the attention of thinking men, and changes in appointments to the

civil service began. In 1883 President Arthur signed the first civil service reform bill, and the principle has been applied in subsequent legislation to the extent that today more than a hundred thousand Government employes, who have earned their places by competitive examination, are secure against the machinations of politicians and the uncertainty of party tenure. They can be dismissed only upon charges preferred before the National Civil Service Commission and proved in a public hearing. See CIVIL SERVICE; CIVIL SERVICE REFORM.

Squadron, a term applied to a division of cavalry, corresponding to a battalion [q. v.] of infantry. There are four troops in a squadron of cavalry, each troop one hundred strong, under command of a Captain. The four Captains have for their superior officer a Major, who is the commanding officer of a squadron. Three squadrons form a regiment, whose commanding officer is a Colonel. The term is also used in the navy to designate a division of a fleet employed in special service.

Squatter Sovereignty. This is a term belonging only to United States history and government. It had its origin in the days preceding the Civil War, and refers to the political theory that the people of each new Territory, when it was about to be admitted as a State, should decide for themselves whether slavery should be permitted or prohibited within its borders. Both pro-slavery and anti-slavery factions sought to populate, even temporarily, those new Territories in which the question of statehood would soon be voted upon, the slavery States exerting themselves in this direction more than the free States. These temporary residents were termed "squatters." The advocates of this method of settling the all-important political issue of the times called it "popular sovereignty"; its opponents, in derision, named it "squatter sovereignty."

Stalwarts. In the political history of the nation, beginning in the year 1880, members of a faction of the National Republican party were given the name of Stalwarts. It was applied to those who supported the claims of General Grant to nomination for a third term in the Presidential office, on account of the tenacity with which they clung to his candidacy.

Stamp Act. In 1763, upon a change of ministries in Great Britain, a more vigorous colonial policy than had previously prevailed was adopted. The changes were aimed primarily at the American colonies, the only ones of great importance that the English nation possessed. It was decided to establish in the colonies a permanent British military force, both for protection from foreign enemies and for strengthening the power of the royal governors; also, to raise at least a part of the money necessary to maintain this force by a system of parliamentary taxation. In the early part of 1764 the Prime Minister secured the passage through the House of Commons of a resolution to the effect that "for further defraying the expenses of protecting the colonies it may be proper to charge certain stamp duties in said colonies." Further action was then postponed until February, 1765, when, the colonies not having shown a disposition to volunteer taxes for the purpose, the Government passed a bill making it necessary that stamped paper be used for all colonial bills, bonds, leases, insurance, and legal documents of all kinds, also that stamps be affixed to all newspapers, playing cards, pamphlets, and various like articles. The law was intended to operate very much as our present internal revenue laws, which require revenue stamps to be attached to certain manufactured articles.

Scarcely any attention was paid by the English people to the passage of the Stamp Act, but in the colonies there was prompt and vigorous protest. The principle was advanced that Parliament was denying the colonists the right accorded to all Englishmen at home not to be burdened with taxes without giving them parliamentary representation; if they must pay taxes to support the military power of England they should be permitted to have a voice in legislation, so their interests could be guarded. To the cry, "Taxation without representation is tyranny," Parliament returned no direct answer, but so great was the opposition to the Stamp Act that it was repealed to preserve the dignity of the ministry and of Parliament. The colonists refused to buy or use the stamps, and no alternative action of Parliament seemed possible.

Stamp Act Congress. The First Colonial Congress is also known as the Stamp Act Congress. See COLONIAL CONGRESS.

Stamp Tax. See INTERNAL REVENUE.

Star Chamber. In the time of Henry VII in England a court was organized under royal order to try certain cases arising in the criminal and civil practice of the country. Its purpose in the beginning was to curb the greed of the nobles and bring them fully under the law; in their own districts they had become so powerful that they could overawe all courts of justice. This new court had for its presiding officer the Chancellor of the kingdom and was called the Star Chamber, from the supposed fact that the room where sessions were held was decorated with stars suspended from the ceiling. Had the Star Chamber retained its original jurisdiction only, it would have been a beneficial institution, but in the hands of oppressive officials it became a terror to every Englishman. The sessions finally were secret, torture was freely used to extort confessions, and prisoners were condemned without a chance to be heard in their own defense.

In the United States the name Star Chamber is applied to secret meetings of officials and powerful politicians, in which they plan programs which will promote questionable personal or partisan ends. Only to a favored few are the proceedings of such sessions made known. The institution came to be hated in England; in America its meaning happily expresses popular opinion as to one form of political activity.

Star Route. In many sections of the country it is impossible to transport mail by train or boat; it must be carried to hundreds of small inland postoffices by wagon or on horseback. Routes to all postoffices where delivery of mail is not by train or boat are called star routes; their length in each instance is the distance covered between the final destination of the mail and the point where it was delivered from the public route into the hands of the private carrier. The name is derived from the fact that such a route is marked in the official postal guides with a star. A star route is as much a Government mail route as is a railway; the carrier is pledged to transport his mail over

specified roads, and he may traverse no others when on duty, except as accidents may force a change of direction. Wilful disregard of this rule subjects a carrier to a penalty.

Stars and Bars. The flag of the Confederate States was so called; it consisted of a blue union, in which was placed one white Star for each State in the Confederacy, and a field of three bars—the center one of white, the upper and lower of red. This was the National flag; there were, besides, battleflags of slightly different designs.

Star Spangled Banner, the name by which the United States flag has been popularly known since the bombardment of Fort McHenry, at Baltimore, in the second war for American independence. A young citizen of Baltimore, Francis Scott Key, with others was detained on board a British vessel during the engagement. When the sun rose the second morning of his imprisonment he saw that "our flag was still there." In a moment of inspiration he drew paper from his pocket and wrote the first draft of the poem which became almost at once a National song.

State. A State is a political community organized under a Government, which is recognized as supreme by the people whom it affects. The essential elements which constitute a State are association, organization, civil government and, ordinarily, a permanent place of abode for its members. It actually grows out of the family relation, but also has a natural basis in man's social nature; it takes whatever form its members may decide upon, and a legal basis and standard of right and justice which reflect the extent of civilization of the time.

The American Union constitutes for us the real State. The Federal Government is the State; it knows no higher authority; it is sovereign. The various members of the Union, called States, are commonwealths of limited sovereignty, and are really only units of which the State is composed. To be sure, each of the United States is sovereign, so far as the direction of its internal affairs is concerned, yet no act of a Legislature or paragraph of a State Constitution may oppose any provision of the United States Constitution.

State, DEPARTMENT OF. This is the oldest of the Executive divisions of the Government; at its head is the Secretary of State, accounted the leading member of the administration, below the President. Sometimes this officer is called the Premier of the Cabinet, although there is no authority in our country for the use of that term.

The Congress under the Confederation established the Department of Foreign Affairs, and placed at its head the Secretary of Foreign Affairs. In 1789, with the beginning of rule under the new Constitution, the same Department was authorized, but in two months the name was changed to Department of State. This Department has immediate charge of our relations with foreign powers; the Ambassadors, Ministers and Consuls we send abroad are under the direction of the Department; in its possession are the official copies of all treaties, public documents and official correspondence involving foreign relations. See STATE, SECRETARY OF; CABINET OF THE PRESIDENT.

State, SECRETARY OF. The office of Secretary of State is the most important of the Executive positions below the President; the Secretary is virtually at the head of the Cabinet of the President. He is sometimes called the Premier of the Cabinet; this designation is borrowed from the Cabinet of Great Britain, whose leading member is the Premier, but the powers and obligations of the two are so different that the name in no wise can be made to apply to our Secretary of State. In the days of the Articles of Confederation, the head of the Department of Foreign Affairs, as it was then called, was styled the Secretary for the Department of Foreign Affairs. In September, 1789, the name was changed to Department of State, and its head was given the title of Secretary of State. In the law in which the change was made, it was stated that it should be the duty of the Secretary "to perform such duties as shall from time to time be enjoined on or entrusted to him by the President relative to correspondences, commissions or instructions to or with public Ministers or Consuls from the United States."

The Secretary of State preserves all treaties, public documents, laws and official correspondence with foreign nations.

He is the keeper of the Great Seal of the United States, and affixes it to all commissions which are issued by the President to civil, military or naval officers. He has charge of our foreign relations and conducts correspondence with Ambassadors, Ministers and Consuls of our country in foreign lands, as well as with the foreign departments of Governments with whom we maintain diplomatic relations. He also issues passports to citizens wishing to visit foreign countries.

When the office was created in 1789, the salary of the Secretary of State was $3,500. Ten years thereafter it was made $5,000; in 1819 it was raised to $6,000; in 1853, to $8,000; in 1873, to $10,000; in 1874, reduced to $8,000, where it remained until 1906, when it was raised to $12,000. (See STATE, DEPARTMENT OF.) The names of the Secretaries of State since the adoption of the Constitution are as follows:

Thomas Jefferson,	Virginia,	Appointed	Sept. 26, 1789.
Edmund Randolph,	Virginia,	"	Jan. 2, 1794
Timothy Pickering,	Massachusetts,	"	Dec. 10, 1795.
John Marshall,	Virginia,	"	May 13, 1800.
James Madison,	Virginia,	"	March 5, 1801.
Robert Smith,	Maryland,	"	March 6, 1809.
James Monroe,	Virginia,	"	April 2, 1811.
John Q. Adams,	Massachusetts,	"	March 5, 1817.
Henry Clay,	Kentucky,	"	March 7, 1825.
Martin Van Buren,	New York,	"	March 6, 1829.
Edward Livingston	Louisiana,	"	May 24, 1831.
Louis McLane,	Delaware,	"	May 29, 1833.
John Forsyth,	Georgia,	"	June 27, 1834.
Daniel Webster,	Massachusetts,	"	March 5, 1841
Hugh S. Legaré, *ad int.*,	South Carolina,	"	May 9, 1843.
Abel P. Upshur,	Virginia,	"	July 24, 1843.
John C. Calhoun,	South Carolina,	"	March 6, 1844
James Buchanan,	Pennsylvania,	"	March 5, 1845
John M. Clayton,	Delaware,	"	March 7, 1849
Daniel Webster,	Massachusetts,	"	July 22, 1850
Edward Everett,	Massachusetts,	"	Nov. 6, 1852.
William L. Marcy,	New York,	"	March 7, 1853.
Lewis Cass,	Michigan,	"	March 6, 1857.
Jeremiah S. Black,	Pennsylvania,	"	Dec. 17, 1860.
William H. Seward,	New York,	"	March 5, 1861.
Elihu B. Washburne,	Illinois,	"	March 5, 1869.

Hamilton Fish,	New York,	Appointed March 11, 1869.
William M. Evarts,	New York,	" March 12, 1877.
James G. Blaine,	Maine,	" March 5, 1881.
Fred. T. Frelinghuysen,	New Jersey,	" Dec. 12, 1881.
Thomas F. Bayard,	Delaware,	" March 6, 1885.
James G. Blaine,	Maine,	" March 5, 1889.
John W. Foster,	Indiana,	" June 29, 1892.
Walter Q. Gresham,	Illinois,	" March 6, 1893.
Richard Olney,	Massachusetts,	" June 8, 1895.
John Sherman,	Ohio,	" March 5, 1897.
William R. Day,	Ohio,	" April 26, 1898.
John Hay,	Dist. of Columbia,	" Sept. 20, 1898.
Elihu Root,	New York,	" July 7, 1905.
.....	.....	" .....

State Bank, a banking institution chartered by State authority and subject to all the laws of the commonwealth relating to the banking business. A State bank may usually begin business with a capital as small as $10,000, while a National bank, even in towns of 3,000 inhabitants, is required to capitalize at a minimum of $25,000. See NATIONAL BANK.

State Board, an official body authorized by the Constitution of the State, whose duty is to care for some special public interest. The number of these boards varies in different States. Some of the most common are Boards of Education, Corrections and Charities, Auditors, Agriculture, Penal Directors, Pardons, etc. In some States the Governor appoints the members of each Board; in others, they are chosen at general elections.

State Officers. The officers of each State are elected by its qualified voters, usually for two-year terms; terms of one year and four years are not uncommon, however. The State Constitution prescribes the number of Executive officers and outlines the duties of each.

At the head of the list is always the Governor. He is accountable to the people for the execution of all the laws and to him the other officials are responsible. Below him is the Lieutenant-Governor, whose chief duty is to preside over the sessions of the State Senate when the Legislature is in session. He is promoted to the office of Governor, in case of the death, resignation, disability or disqualification of that official.

The Secretary of State is the chief Executive officer, next to the Governor. He keeps the official record of the proceedings of the Legislature, publishes the laws passed at each session, files and preserves all official communications bearing upon Executive matters, and in his possession is the Seal of the State, an impression of which must be affixed to all official documents.

The State Treasurer is guardian of the public money; he receives all funds coming to the State treasury and pays it out upon properly certified warrants. Usually a Board of Auditors, composed of three officials, passes upon all orders upon the treasury.

The Attorney-General is the State's lawyer. He must defend all actions at law to which the commonwealth is a party, and must furnish opinions upon any legal question affecting the administration of any officer of the State. The various county Prosecuting Attorneys are entitled to his advice at all times respecting the routine work of their offices.

The Commissioner of the Land office is not among the officers of every State; when found, he has charge of the public lands within the State and sells them according to law.

The State Superintendent of Public Instruction is at the head of the schools and usually is one of the members of the State Board of Education. The associate members of the Board are sometimes appointed by the Governor, but more frequently elected by the people.

When a Board of Auditors is not provided to audit public accounts, a State Auditor is included among the Executive officers, with the duty imposed upon him to examine carefully into every expenditure before permitting payment to be made.

Salaries of these officials vary greatly. Some Governors receive only $1,000 per year; others are given $10,000. The average is $4,000 or $5,000 for this officer, and from $1,000 to $4,000 for other officials. In most States all of the above-named heads of Executive departments are required to reside at the State capital during their terms of office; the exception most frequently made is in the case of the Superintendent of Public Instruction.

State Paper, an official document or communication on public affairs, as a President's message to Congress, or the message of a Governor to the Legislature of his State. See MESSAGE OF THE PRESIDENT.

States, ADMISSION OF. See ADMISSION OF STATES TO THE UNION.

State's Attorney. The county official who prosecutes all offenses against the State which are committed within his jurisdiction is called the State's Attorney, or Prosecuting Attorney. He is required to give advice on legal matters pertaining to the administration of any other county officer. He is always elected by the voters of the county, usually for a term of two years, and is eligible to re-election.

States, EQUALITY OF THE. See EQUALITY OF THE STATES.

State Sovereignty was that political doctrine which declared that when a State joined the Federal Union it delegated only a part of its authority to the central Government, reserving to itself large powers to be used at its own discretion. The leading principle of this doctrine declared that in the last extremity a State might exercise its sovereignty in the highest degree and retire temporarily or permanently from the Union. Under the Articles of Confederation, a State was expected to act with the others only as far as it agreed with them. A strong faction in the Constitutional Convention sought to make the States sovereign in any crisis, but the principle was voted down. While lost as a Constitutional provision, the idea still lived and the Kentucky Resolutions found many supporters. Later, New England States threatened to override the Constitution and exercise their alleged prerogative to withdraw from the Union.

The opponents of the supreme sovereignty of the States based their strongest argument in the Constitutional Convention upon the fact that not as single colonies but as a united people the battles for independence were fought; the colonies acted jointly and not once during the struggle was individuality exercised. The supreme test of State sovereignty versus National unity came upon the secession of the Southern States in 1860 and 1861. The result of the ensuing Civil War forever

settled the question. See NULLIFICATION; SECESSION; KENTUCKY RESOLUTIONS.

Statute. A statute is a law established by the Legislative Department of the nation or of a State. It is the written will of the supreme authority, expressed according to forms usually prescribed in the Constitution. When properly passed and having received Executive sanction, a statute is considered in full force and effect until repealed or nullified by express stipulation in subsequent legislation. A law is not considered repealed merely by the enactment of another statute on the same subject; there must be a positive disagreement between the provisions of the new law and the old to work a repeal by implication. See ENACTING CLAUSE; REPEAL.

Statute of Limitations. The laws of all States require public officers to apprehend and bring to trial within a limited time, if possible, those persons who are accused of offenses against the commonwealth. If an accusation is not made before a magistrate, or an indictment found, or an information sworn to within a given number of years, then the person suspected shall be no longer in jeopardy of arrest and trial. The laws' delay operates to free the alleged offender from the legal consequences of his act. There are two exceptions to the operation of this statute of limitations, in that the crimes of treason and murder are not covered; during the lifetime of the guilty persons they are accountable to the law. Limitation in cases of felony varies from two to ten years, with an average of six; for a misdemeanor or a lesser offense it is from ninety days to two years.

Still Hunt. If a politician works quietly to secure support for his candidacy or for a political measure in which he is interested, and does not openly avow his purposes, he is said to engage in a still hunt. Such an act may be either creditable or discreditable; its morality is determined as it affects the issues of good government and the public welfare.

Straw Bond. See BOND.

Strict Construction. See LOOSE CONSTRUCTION.

Stump Speech. In days when the country was less thickly settled, political orators traversed the country on horseback

and addressed the people wherever they could assemble a sufficient number to form an audience. A favorite rostrum was the stump of a tree. From this fact these addresses came to be called stump speeches; the speakers were engaged in "stumping the State." Even today if a political address from the platform is in the nature of an undignified harangue the old name may be applied to it.

Subject. Literally, a subject is a person who is under the governing power of another; as, the relation of a person in an absolute monarchy to his ruler. In a republic the people are citizens, not subjects; they are under the power of a governing head only to the extent that they are willing to delegate authority to him. The subject cannot displace his master nor change the manner of rule. The people of Great Britain and Germany are citizens, to the extent that they can influence legislation; but they are yet subjects, because they have no power to choose the actual heads of their States.

Subornation of Perjury is the offense of procuring another to swear falsely, in such a way as would constitute perjury in the principal. See PERJURY; OATH.

Subpoena. A subpoena is a writ issued by a magistrate requiring a person to appear at a specified time in a court of justice for the purpose of giving testimony under oath concerning a case at law. The summons cannot be evaded, even temporarily, unless sickness intervenes, in which case a physician's certificate will be accepted by the court as reasonable excuse. The penalty for failure to appear promptly at the time appointed lies in the discretion of the court.

Subpoena Duces Tecum. If the subpoena served upon a person commands not only his presence in court, but contains also a demand for him to bring certain designated documents or articles needed as exhibits in a case, it is called a *subpoena duces tecum.* The phrase means, "you will bring with you."

Subsidiary Coin. The coins of the United States, of silver, nickel and copper, and of denominations from one cent to fifty cents, are subsidiary coins. They are legal tender only for small amounts. See COIN.

Subsidy. A subsidy is pecuniary aid directly given by a Government to a commercial enterprise privately owned, to enable it to serve the public without loss. In earlier days railways projected towards the Pacific coast could not hope to yield a profit, even with most economical management; public interests demanded that these highways of commerce be maintained, and it was concluded that what was to benefit all of the people should temporarily be given support at public expense. For many years nearly all the maritime commerce of the United States has been carried in foreign vessels. Many attempts have been made in Congress to pass a ship subsidy bill, to make it possible for domestic capital to enter the business and wrest the supremacy from ship owners of other nations. Thus far each effort in this direction has met with failure, it being the very general opinion among Congressmen that American capital invested in ships would yield a good return, without Government aid. Capitalists realize how strongly intrenched are the foreign interests, and upon this basis their plea for subsidies are made. See LAND GRANTS.

Sub-Treasury. A sub-treasury is a branch of the Treasury of the United States, in direct control of the Treasury Department. Sub-treasuries are located in all the largest cities of the country, and are offices for the receipt and disbursement of Government revenues. Each is in charge of an Assistant Treasurer of the United States, appointed by the President, with the consent of the Senate. See TREASURY DEPARTMENT.

Succession to the Presidency. See PRESIDENTIAL SUCCESSION; DISABILITY OF THE PRESIDENT.

Suffrage is the right or privilege of voting on public questions and for candidates for public office; in general, the "right of suffrage" implies the right of a person to participate in civil government, without any restrictions except such as are imposed upon all other persons, according to laws framed to safeguard the interests of the State. Usually only men are given the ballot; in some States, however, women enjoy equality with men in the political arena. See QUALIFICATIONS OF VOTERS; CITIZENSHIP.

Summary Jurisdiction, the jurisdiction permitted a Judge to make certain orders upon application of counsel, without the formality of a full hearing, or to punish a person for the offense known as contempt of court, when the offense was committed in the presence of the court. If committed outside the court-room a hearing is due the accused person. See CONTEMPT OF COURT.

Summons. A summons is a citation issued in writing to a defendant in a court action commanding him to appear before the court on a stated day and hour. It is issued at the request of the plaintiff or his legal representatives. A subpoena [q. v.] to appear as a witness is also called a summons.

Sumptuary Laws. The word sumptuary means to limit or regulate expense or expenditure. Therefore, the term sumptuary laws refers to those Legislative acts which restrict by law private expenditure in directions where it is deemed injurious. An example of sumptuary laws are those which limit the expenses of citizens in the matter of food, clothing and the like. Acts of this nature were very common in ancient times and still exist in some countries. In colonial days, before the formation of the Federal Government, sumptuary laws were in force in nearly all of the colonies, but at present they are rarely found on our statute books. Friends of the liquor interests insist that efforts to regulate the traffic are in the direction of sumptuary laws. The custom of the older times is now practically reversed; instead of limiting expenditures for necessities, the modern Legislative act places a tax on luxuries.

Supervisor, the chief Executive officer of a township, having oversight of the public interests of his territory. All of the supervisors in a county form the County Board of Supervisors, the Legislative body of the county. This body meets usually four times each year; it passes appropriation bills for current expenses, levies local taxes, receives reports of county officers, audits and orders paid all bills against the county, and, in some States, has the power of appointing the County Board of School Examiners. A supervisor is given compensation for each day devoted to the duties of his office.

Supreme Court. The Supreme Court of the United States is the highest Judicial tribunal in the republic, and the most unique body of its kind in the world. It was established by the Constitution (Article III, Section 1):

> The judicial power of the United States shall be vested in one Supreme Court, and in such inferior courts as Congress may from time to time ordain and establish.....

The Constitution left to Congress the methods of organizing the court and of determining the number of inferior courts which might from time to time be necessary. The first act of Congress on the subject was that of 1789, known as the "Judiciary Act." This provided "that the Supreme Court of the United States shall consist of a Chief Justice, of five Associate Justices, any four of whom shall be a quorum, and shall hold annually at the seat of government two sessions, one commencing the first Monday of February and the other the first Monday of August."

Attention is called to the fact that in this act of 1789 members of the court are called Justices, while in the Constitution they are simply termed Judges. The feeling in Congress was that the officers of this highest tribunal in the United States should have titles of dignity and as much as possible differing from titles of other Judicial officers. Therefore, officially the members of the Supreme Court are Justices, and should always be given this distinction.

From time to time the number of members of the court has been increased as the volume of business coming before it has expanded. There are at present one Chief Justice and eight Associate Justices. When the court was organized in 1789, the salary of the Chief Justice was placed at $4,000, while the Associate Justices were given $3,500. The salaries have varied from time to time. In 1907, the compensation of the Chief Justice was raised to $13,000 and of the Associate Justices to $12,500.

The members of this court are appointed by the President, subject to the approval of the Senate, and they hold office during good behavior, which virtually means that it is a life

position. The effect of life tenure is that the Supreme Court is independent of other departments of the Government and removed from the fluctuations of public opinion and the allurement of politics. Some men have been appointed to seats on the Supreme bench who had previously been political partisans, but it must be said to their credit that they have laid aside party feeling and have devoted themselves faithfully to the discharge of the duties of their high office. The decisions of this court have therefore come to be respected not only in our own country, but throughout the world, whenever matters pending before it have been of interest to foreign Governments. The cases over which the Supreme Court has jurisdiction are stated in general in the Constitution, a part of which have been since delegated to its inferior courts.

The first Chief Justice, John Jay, gave a brief summary of the reasons which prompted the makers of the Constitution to classify as they did the cases which should come under the jurisdiction of the Supreme Court. He said:

The judicial power extends to all cases affecting Ambassadors, other public Ministers, and Consuls; because, as these officers are of foreign nations, whom this nation is bound to protect and treat according to the laws of nations, cases affecting them ought to be cognizable only by National authority:

To all cases of admiralty and maritime jurisdiction; because, as the seas are the joint property of nations, whose rights and privileges relative thereto are regulated by the laws of nations and treaties, such cases necessarily belong to National jurisdiction:

To controversies to which the United States shall be a party; because, in cases in which the whole people are interested, it would not be equal or wise to let any one State decide and measure out the justice due to others:

To controversies between two or more States; because domestic tranquillity requires that the contentions of States should be peacefully terminated by a common judicatory, and because, in a free country, justice ought not to depend on the will of either of the litigants:

To controversies between a State and citizens of another State; because, in case a State—that is, all the citizens of it—has demands against some citizens of another State, it is better that she should prosecute their demands in a National court than in a court of the State to which those citizens belong, the danger of irritation and criminations arising from apprehensions and suspicions of partiality being thereby obviated:

To controversies between citizens of the same State claiming lands under grants of different States; because, as the rights of the two States to grant the land are drawn into question, neither of the two States ought to decide the controversy:

To controversies between a State, or the citizens thereof, and foreign States, citizens, or subjects; because, as every nation is responsible for the conduct of its citizens toward other nations, all questions touching the justice due to foreign nations or people ought to be ascertained by and depend on national authority.

The names of the jurists who now occupy positions on the Supreme Court bench are as follows (1908):

Chief Justice—Melville W. Fuller, Illinois	Appointed	1888
Justices—John M. Harlan, Kentucky	"	1877
David J. Brewer, Kansas	"	1889
Edward D. White, Louisiana	"	1894
Rufus W. Peckham, New York	"	1895
Joseph McKenna, California	"	1898
Oliver W. Holmes, Massachusetts	"	1902
William R. Day, Ohio	"	1903
William H. Moody, Massachusetts	"	1906

For the list of Chief Justices, see CHIEF JUSTICE.

Surplus, THE. Whatever money remains in the Treasury of the United States after all expenses of the Government have been paid out of the revenues is called the surplus. Politically, it is a matter of solicitude on the part of law-makers. The question of its disposition becomes important when there are no Government bonds which at the moment may be redeemed and retired. When such disposition can be made of surplus revenue, naturally the National debt is decreased. There is usually

political danger in a large and constantly growing excess of receipts over expenditures, although such a condition indicates general prosperity in business. Congressmen with ambitions to achieve distinction at home by securing favors for their districts look upon a Government surplus as a legitimate fund on which to draw largely for public improvements. Postoffice buildings for small cities and appropriations for making navigable various small rivers and harbors are instances illustrating the character of bills presented annually to Congress, frequently in excess of needs, simply because there is money on hand available for whatever use Congress may determine to put it. See Appropriations; River and Harbor Bills.

Surrogate. This is a term, like many others, borrowed from English legal practice, and not widely adopted in the United States. In some States the surrogate is an officer who has jurisdiction of the probate of wills, the administration of estates and the oversight of guardianships. Throughout the middle and western States, this officer is called Judge of Probate [q. v.].

Surveyor, one of the officers of every county, whose duty it is to survey all public improvements within his territory, such as roads and lands for public buildings. He is required to preserve all of the records of his work in books provided by the county for that purpose. This officer usually has no salary, but is paid for actual work done. He adds to this income by surveying lands for private individuals. He is elected with other county officers, usually for a term of two years, and is eligible to re-election.

Sweated Money is gold or silver coin of less than lawful weight, the loss being due to the cutting away of small portions or to the paring away of the coin on the round edge and remilling, to remove traces of "sweating." The term is applied only to short-weight pieces of money which have been mutilated for profit; it does not apply to natural loss from friction in handling. This latter, in the case of gold coins, is considerable. See Uncurrent Money.

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Tammany. Probably the oldest political club or society in the United States is Tammany Hall, of New York City. It was organized in 1789, and was the outgrowth of the Society of St. Tammany; since 1800 it has ruled New York City through the political power it has developed. In the beginning, the aims of the society were laudable, but for many years it has not attempted to conceal the fact that it existed merely for political power and the spoils of office. Its purpose has been accomplished through absolute control of people elected or appointed to office in New York City. It has often attempted to control the politics of the State of New York, usually without success.

Tariff. The word *tariff* is derived from the name of the Spanish town Tariffa, on the Mediterranean coast. In ancient days, it was an independent principality, well fortified and inhabited by a strong body of citizens. It was their custom to levy a certain charge against all persons or property entering the town from competing African territory, and upon all persons or property leaving Tariffa for the opposite mainland. Eventually these charges, or taxes, of Tariffa came to be called tariffs.

In our day a tariff is a list or schedule of articles of merchandise, prepared by authority of the Government, containing a statement of the rates of duty to be paid to the Government on their importation or exportation. Tariffs are no longer levied on exports from any country, except in case of dire local necessity. Such action would be occasioned by a famine, when all of certain products of the country might be needed for local consumption. It would be within the province of the Government then to levy a heavy export tax upon such commodities, in order that they might be kept at home.

In the United States, a large part of the revenue for defraying the expenses of the National Government have been derived from imposition of tariffs. Sometimes these customs

duties have been unusually high, and frequently low. Usually a tariff schedule contains about 4,000 articles upon which duties are levied, varying from 5% to more than 100%. The highest general percentage was under the McKinley Bill, passed in 1892. For general discussion of the various phases of the tariff see PROTECTIVE TARIFF; FREE TRADE; TARIFF FOR REVENUE. See, also, CUSTOMS DUTIES, PRESENT SCHEDULE.

Tariff a Local Issue. Possibly no other economic question affecting the whole people is such a difficult matter of legislation as tariff schedules. All laws on the statute books on this question necessarily apply without exception to the whole country. Discrimination in schedules in one port of entry over another would not be tolerated. In the political campaign of 1880, W. S. Hancock, the Democratic nominee for President of the United States, declared that the tariff question should not be a National issue; it was a local issue only. He insisted that the cotton manufacturers of New England desired tariff laws quite different than were requested by other communities. The iron manufacturers of Pennsylvania presented arguments in favor of high tariffs which met with no favor from other sections of the country. The comparison might be extended further. It is possible that some day the nation will be able to devise means of raising revenue which shall give due recognition to the wishes of all parts of the country when revisions of customs schedules are necessary.

Tariff for Revenue Only. Many citizens of the United States do not look with favor upon what is known as a high tariff, or a protective tariff. They base their opposition to it on the ground that American goods do not need the protection of a tariff which will raise the price of certain imported articles up to the price asked for the same material of domestic manufacture. These opponents of a high tariff are frequently called free traders, but that name does not properly apply to them. No man who understands the policy of raising revenue in this country is an absolute free trader; to remove all customs duties would mean the imposition of a heavy capitation tax upon all the people, and this would not be tolerated after more than a

hundred years of raising revenue by means which have not so intimately affected personal interests. Therefore, advocates of a low tariff would frame our customs laws so that revenues would be collected only to the extent that they were actually needed to defray the expenses of the Government. In many political campaigns, the lines have been sharply drawn between "protection" and "tariff for revenue only." See TARIFF; PROTECTION; FREE TRADE.

Tariff of Abominations. The first high tariff bill in our history was that of 1828. Its provisions for largely increased duties gave it the name of the "Tariff of Abominations." The South was especially affected, and in that section the opposition was most intense. Within four years many reductions in the schedules were made.

Tax. A tax is a compulsory money contribution, levied upon persons, property or business for the support of a Government. It is by means of taxation that funds for the support of all public enterprises are secured. In more ways than the average person imagines he contributes to the support of the National Government; his contributions to his State and local Government are direct and specific. The Constitution of the United States makes possible the spreading of a direct tax over all the people; this is a capitation tax, or a tax of so many dollars or cents per head, levied on each man, woman and child in the country. We have always avoided the necessity of laying such a tax in so general a way, because it naturally would meet with intense opposition. The Government therefore usually secures its revenue to meet expenses from taxes indirectly levied. A very large list of imported articles are subject to taxation according to tariff schedules, and upon many articles of domestic manufacture revenue is also collected. It is hardly correct to say that a tariff is not a tax; naturally the man who is obliged to pay one dollar to secure the entry of an article through the customhouse will add what he pays in duty to the original cost of the article when he sells it. The consumer pays this tariff; it is an indirect tax, because the amount of the duty is not specifically stated as a part of the cost, and

usually the purchaser of such an article does not stop to consider that a part of the purchase money goes for the support of his Government.

In State and county Government, every tax-payer is assessed a certain sum for each division of his Government. He pays a tax for the support of his schools, for the support of his county and for the general expenses of his township and city or village; his tax receipt specifies also a definite amount out of his payment which goes into the State treasury for State expenses. These are all direct taxes, spread evenly over the property of tax-payers. See TARIFF; INTERNAL REVENUE; CUSTOMS DUTIES, PRESENT SCHEDULE.

Tax, DIRECT. See DIRECT TAX.

Tax, SINGLE. See SINGLE TAX.

Temperance Movement. See PROHIBITION PARTY, NATIONAL.

Ten=Forties. See FIVE-TWENTIES.

Tennessee. The present site of Memphis was visited by De Soto in 1541. Joliet and Marquette, the Frenchmen, explored this section about 1673. The first settlement was made by the French about 1714, and forty years later the English established Fort Loudon. Great Britain secured by treaty with the Indians most of what is now Tennessee for ten thousand dollars, and it was opened at once for settlement. In 1780 a form of government was organized under the name of Transylvania, but as Virginia claimed the land, the proposition was not sanctioned. In 1784 North Carolina ceded all of her claim to what is now Tennessee to the Government. Congress accepted this cession, and a Governor was appointed in 1790. The capital was then located at Knoxville, but in 1812 it was removed to Nashville. The first Territorial Legislature met in 1794. The Constitutional Convention was held in February, 1796, and Tennessee became the sixteenth State of the Union on June 1 of that year.

Government. The first Constitution was succeeded by another in 1834, and this in turn gave place to the present Constitution, adopted in 1870. It may be amended by two-

thirds' majority of both Houses of the Legislature, with subsequent ratification by a majority of the votes cast at a popular election. An amendment cannot be proposed oftener than once in six years. The Legislature is known as the General Assembly; it consists of a Senate of 33 members and a House of Representatives of 98 members, elected for two years. Sessions are biennial and are not limited in length, except that the members cannot draw pay for more than seventy-five days. Their compensation for that length of time is $4.00 per day while in actual attendance or on sick leave. They can receive pay for but twenty days of any special session of the General Assembly. The officers of the State are the Governor, Lieutenant-Governor, Secretary of State, Treasurer, Comptroller, Adjutant-General, Attorney-General and Superintendent of Public Instruction. All are eligible to re-election, although the Governor may serve no more than three successive terms of two years each.

STATE SEAL OF TENNESSEE.

Tenure is possession or control of that which is one's own, either permanently, as tenure of lands, or temporarily by commission of the people, as tenure of office.

Tenure of Office Act. During the term of office of President Andrew Johnson, in 1867, Congress passed an act limiting the power of the President to remove public officials from their positions. The law was aimed especially at Johnson, whose ill-advised quarrels with members of his Cabinet were demoralizing the Executive branch of the Government. The substance of the act declared that officers receiving their appointment through confirmation by the Senate should hold their positions "for and during the term of the President by whom they may have been appointed, and for one month thereafter, subject to removal only by and with the consent of the Senate." President Johnson vetoed the bill, as was expected, but it was at once passed again over his veto, and became a law. It is yet in effect.

Term of Office. The term of an office is the period of years during which the incumbent is legally authorized to perform the duties of said office, without re-election or re-appointment. The Constitution of the United States, in Article II, Section 2, Clause 2, provides for the appointment by the President, by and with the advice of the Senate, of all Ambassadors, other public Ministers, Consuls, Justices of the Supreme Court, and all other officers of the United States whose appointments are not otherwise provided for. Under the old system of removal from office, it was well understood that no officer could hope to hold his position longer than the four-year term of the President through whose favor the appointment was made, unless protected by Constitutional or statutory provisions. All commissions issued by the President in the civil and diplomatic lists are for four years; except for the best of reasons, no officer is required to resign his position until the expiration of his commission. Test cases have not been presented to the courts, but it is probable in the event of dismissal, the person affected might secure a decree protecting him in his position during the term of his commission. It has been decided by the Illinois Supreme Court that even appointments to the school boards by the Mayor of a city cannot be recalled and the appointees dismissed until they have served the full period named in their commissions.

The Civil Service laws of the United States protect more than 100,000 subordinate officers of the Government in their positions. There is no reason why clerks and other less important officers should be removed at the instance of politicians upon the advent of new administrations. The Civil Service Commission now guarantees to all of these minor officials and clerks the permanence of their positions during good behavior and as long as they are competent to perform the duties for which they were appointed. See Civil Service; Civil Service Reform.

Territorial Claims of the Colonies. One of the chief points of controversy in the convention which framed the Articles of Confederation was the undefined boundary lines of certain

of the new States. The territorial limits of six States were unquestioned—New Hampshire, Rhode Island, New Jersey, Pennsylvania, Delaware and Maryland. In the convention these were known as "non-claimant States." On the other hand, by provisions in their charters, Massachusetts, Connecticut, Virginia, and the Carolinas claimed extension westward to the Mississippi River. The original claims had extended their boundaries to the Pacific Ocean, but the Treaty of 1763, closing the Revolutionary War, was already being discussed and it was evident that the western boundary would be fixed eventually at the Mississippi. Georgia claimed land to the west as far as that river, also, as did New York, under pretense of alleged acknowledgment of jurisdiction in a treaty made with the Indians during colonial days. These seven were called the "claimant States." The independence of the new States had not yet been officially conceded by Great Britain by treaty, and as diplomatic battles had yet to be fought it was contended by the "non-claimants" that the great Western country should be the joint property of the whole Union. The "claimant States" did not care to part with the land, for they expected later from its sale sufficient funds to pay their war debts. They were strong enough to secure the insertion in the Articles of Confederation of a clause declaring that no State should be deprived of territory for the benefit of the United States. Reluctant consent was given to this proposition after much debate.

New York led the way towards reconciliation by giving a discretionary power to her delegates in Congress (February, 1780) to cede to the Union that portion of her claim west of a north and south line drawn through the western extremity of Lake Ontario. The other "claimant States" were urged by the Congress to follow this example, under a guarantee (Sept. 6, 1780) that the lands so ceded should be disposed of for the common benefit, and, as they became peopled, should be formed into republican States to be admitted into the Union as peers of the others. Connecticut offered (Oct. 10, 1780) to cede her claims to the region west of Pennsylvania, excepting

a broad tract south of Lake Erie, immediately adjoining Pennsylvania. This was afterwards known as the Connecticut Reserve. Virginia ceded to the United States (Dec. 31, 1780) all claim to the territory northwest of the Ohio, provided that State should be guaranteed the right to the remaining territory east of the Mississippi and north of lat. 30° 30′ N. The New York delegates executed a deed to the United States (March 1, 1781) of the territory west of the line before mentioned; and on the same day the delegates from Maryland, authorized by the Assembly immediately after the Virginia cession, signed the Articles of Confederation.

Territorial Growth of the United States. The following table gives in compact form the dates of acquisition of new territory to the National domain, the area of new lands, and their cost to the Government:

Acquisition.	Year acquired.	Area in sq. miles.	Price paid.
Original territory	....	827,844	....
Louisiana	1803	1,182,752	$27,267,621
Florida	1819	59,268	6,489,768
Texas	1845	371,063	Annexed
Bought of Texas	1850	96,707	16,000,000
Mexican purchase	1848	522,568	15,000,000
Gadsden purchase	1853	45,535	10,000,000
Alaska	1867	590,884	7,000,000
Hawaii	1898	6,449	Annexed
Porto Rico	1899	3,600	$20,000,000
Philippine Islands		114,000	
Guam		200	
Panama zone	1904	400	....
Wake Island	1899	....	Annexed
Tutuila, Samoa	1900	70	Annexed
Cagayan de Jolo	1900	....	100,000
Sibutu			

The easternmost point of the United States mainland is West Quoddy headlight, Maine, the longtitude of which is 66 degrees 57 minutes and 4 seconds west, and the westernmost point is Cape Flattery, Washington, which is 124 degrees 44 minutes and 5 seconds west. The easternmost point of any of the United States possessions is Reef point, Culebra, off the east coast of Porto Rico, in 65 degrees 13 minutes and 15 seconds west longitude and the westernmost point is West Balabac island in the Philippines, in longitude 116 degrees and 55 minutes east. When it is sunrise on the coast of Maine it

is sunset of the previous day in the Philippines, so the old saying that the sun never sets on British soil is also true of the domain of the United States.

Territory, a political division of the United States, not included within the limits of any State and not having been admitted into the Union on the footing of a State. Such a division or area is organized with a Territorial Government, including a Legislature and Territorial Governor and other officers, appointed by the President with the consent of the Senate. The Legislature is chosen by the people, and this body selects a Delegate to represent the Territory in Congress. There he may participate in all debates directly affecting the Territory, but he has no vote. The field of law-making granted to the Legislature is practically as unlimited as that enjoyed by any State, but Congress may annual any of its acts.

There are two general classes of Territories, grouped according as their inhabitants are or are not citizens of the United States. In the former class are Arizona, New Mexico, Alaska and the District of Columbia; in the latter are Hawaii, the Philippine Islands, Porto Rico and the Panama Canal Strip. See ADMISSION OF STATES TO THE UNION.

Territory, CESSION OF. See CESSION OF TERRITORY.

Texas. The earliest explorations in the present State were made by the Spaniards as early as 1528. Nearly all of these came from Mexico, and consequently Texas became a dependency of that country, which in turn was owned by Spain. In 1821 Mexico secured independence from Spain and established a republic, of which Texas, together with parts of two other provinces, became a State. Restrictive measures against American immigration to Texas aroused opposition and in 1832 Texas called a convention, which asked for a separate Government. This was refused, and in 1836 a declaration of independence was framed. There was a short war with Mexico, which resulted in the complete independence of Texas and the adoption of a Constitution in September of the same year. Application was made at once for admission to the Union, and this was effected on December 29, 1845.

Government. The Constitution under which admission was secured was succeeded by new Constitutions in 1866, 1868 and 1876. The latter is still in force, although it has been amended several times. Amendment is only possible by vote of two-thirds of each House of the Legislature, and ratification subsequently at a State election. The Legislature consists of a Senate of 35 members, elected for four years, and a House of Representatives of 108 members, elected for two years. Sessions are biennial, and for the first sixty days of any session members are paid $5.00 per day; after sixty days their remuneration is reduced to $2.00 per day. The officers of the State are the Governor, Lieutenant-Governor, Comptroller, Treasurer, Attorney-General and Commissioner of the General Land Office. These are all elected for two years. At the head of the Judicial Department is the Supreme Court of three members, elected for six years. The State is divided into Judicial districts, each of which has a Court of Civil Appeals with three Justices, whose term is six years; the Court of Criminal Appeals, each having three Judges, elected for a like period. Every county has a County Judge, and every county is divided into four precincts, each of which has a County Commissioner, elected for two years. There are also Justices of the Peace.

STATE SEAL OF TEXAS.

Thanksgiving Day. There are numerous holidays in each State every year, but only one which is marked by special proclamation of the President and State Governors. Thanksgiving Day is thus signally recognized. The first recorded public thanksgiving appointed by authority, in America, was proclaimed in Massachusetts Bay in 1831. Owing to the great scarcity of provisions and consequent menace of starvation, February 22 was appointed to be observed as a fast-day. Before that time a long-expected vessel arrived, laden with provisions, and the fast-day was changed into one of thanksgiving. The

practice was sometimes observed in New Netherland. Governor Kieft proclaimed a public thanksgiving, to be held in February, 1644, on account of a victory over the Indians; and again, in 1645, because of the conclusion of peace. Thanksgivings and fasts, sometimes general and sometimes partial, were appointed in the several colonies, and early in the Revolutionary War the Continental Congress adopted the practice. The days appointed during the war were as follows: Thursday, July 20, 1775; Friday, May 17, 1776; and another, to be fixed by the several States, ordered by resolution, December 11, 1776; Wednesday, April 22, 1778; Thursday, May 6, 1779; Wednesday, April 6, 1780; Thursday, May 3, 1781; Thursday, April 25, 1782. These eight appointments of thanksgiving days were made by the Continental Congress, in the form of recommendations to the Executive heads of the several State Governments, reciting the occasion which prompted the observance. With only one exception, Congress suspended business on the days appointed for thanksgiving.

Washington issued a proclamation for a general thanksgiving by the Continental army on Thursday, December 18, 1777; and again, at Valley Forge, May 7, 1778. As President, Washington appointed Thursday, November 26, 1789, a day for general thanksgiving throughout the Union; also Thursday, February 19, 1795. Successive Presidents of the United States were moved to do likewise, from time to time. The Book of Common Prayer, revised (1789) for the use of the Protestant Episcopal Church in America, directed the first Thursday of November (unless another day be appointed by the civil authorities) "to be observed as a day of thanksgiving to Almighty God for the fruits of the earth," etc. In New England, especially, a day of thanksgiving has been annually celebrated for a century and more, and made the occasion for family reunions. The custom gradually extended to other States, and for more than twenty years the President of the United States has annually issued a proclamation for a day of public thanksgiving throughout the Union—usually the last Thursday in November—and the State Executives have chosen the same day, so that the

custom is now general. Thanksgiving Day is a legal holiday. See LEGAL HOLIDAYS.

Third House. See LOBBY.

Third Term. According to public sentiment which has nearly the binding force of a statute, no President of the United States may serve more than two terms in that high office. There is no provision in the Constitution forbidding continuous service for as many terms as re-election can be secured, but custom to the contrary dates almost from the foundation of the Government. George Washington was urged to accept a third nomination, which would have been equivalent to election, but he positively declined, not only on the ground that two terms should be enough to satisfy the proper ambition of any man, but because a strong man of military and monarchical tendencies continuously in the President's chair might be a menace to the perpetuity of a republican form of government.

No further effort to give a President a third term was made until 1880, when the friends of General Grant endeavored to secure for him a third nomination. He had served from 1869 to 1877; his supporters argued that there should be no opposition to the hero of the Civil War, because another President had been in office for four years following Grant's two successive terms. In the National Convention of the Republicans in 1880 there were 306 delegates who voted solidly for Grant's nomination through dozens of ballots, but they could not secure a majority, and James A. Garfield received the nomination. The 306 were thereafter known in political history as the "Stalwarts."

Six months after William McKinley entered upon his second term his death occurred, and Theodore Roosevelt, then Vice-President, became Chief Executive. He served three and one-half years and succeeded himself by election for another full term. On the evening of that election, in November, 1904, he declared to the country that he considered the three and one-half years just passed to have constituted his first term, and that at the expiration of the term for which on that day

he had been chosen, he would not seek nor accept re-election. Great pressure was brought to bear upon him to retract his utterance and accept another nomination, which would have been his second. His supporters declared with truth that he had served only one term of his own, that during the fractional part of the term preceding he was only an "accidental President," bound in honor to carry out the policy of his predecessor. He was entitled, they said, to two terms of his own by direct choice of the people, during both of which he could develop his own policies. However, Mr. Roosevelt insisted that he was right in declining the honor, while certain of election in the event of acceptance. The conservative policy commended by Washington was thus greatly strengthened, and it is quite probable that third term agitation has been silenced for all time. See ACCIDENTAL PRESIDENT.

Tidal Wave. In National or State politics if a party in an election overwhelms the opposition, securing by far the greater portion of the votes cast, the successful candidates are said to ride into office on a tidal wave. Probably the figure is borrowed from the known force of tidal waves at sea, which override every obstacle.

Tissue Ballots. It was charged that ballots printed on tissue paper were once used in some parts of the South, in order to deprive negroes of their votes. The thinness of the paper made it possible for watchers to see how the colored man intended to vote; if he dared to vote contrary to the wishes of the white people, on some pretext his right to cast the ballot was successfully challenged.

At one election, at least, in the North, tissue ballots were used in a corrupt precinct, to make it possible to fold two ballots closely together and be voted by the same individual. The Australian ballot system, now in general use, prevents almost every variety of election frauds. See AUSTRALIAN BALLOT.

Title of the President. See PRESIDENT, TITLE OF THE.

Titles of Nobility. The Constitution of the United States in Article I, Section 9, Clause 8, declares that—

No title of nobility shall be granted by the United States, and no person holding any office of profit or trust under them shall, without the consent of Congress, accept of any present, emolument, office or title of any kind whatever, from any king, prince or foreign State.

The founders of the Government knew from Old World experience that princely titles would be a menace to a republican form of government, for they would create undesirable class distinctions. Alexander Hamilton, writing in the *Federalist* on this subject, said:

Nothing need be said to illustrate the importance of the prohibition of titles of nobility. This may truly be denominated the corner-stone of republican government; for so long as they are excluded there can never be serious danger that the Government will be any other than that of the people.

No Government official may exercise his option respecting even gifts from foreign officials, if it is believed the tender is in behalf of the Governments they serve. Without such restrictions the way would be open to misinterpretation of motives and possible bribery; the recipient of unusual favors would at least feel himself in some degree indebted to the donor.

Toledo War. This was one of the controversies over State boundaries, and probably no other equaled it in intensity of feeling or display of force. In 1835 a dispute of long standing between the State of Ohio and the Territory of Michigan came up for settlement, because of Michigan's application to Congress for admission to the Union. Each claimed a large tract of land running westward from Lake Erie, upon which Toledo was situated. To prevent the other Government from occupying the disputed territory each side called out the militia, with the result that the President of the United States interfered, to prevent bloodshed. A compromise was effected, after Michigan's Governor had been removed for officiousness, by which Ohio was awarded the disputed territory; in return, Michigan was given what is now its Northern Peninsula, and was admitted to statehood.

Tonnage Duties. A tax called tonnage duties was formerly levied upon all vessels entering certain ports, and was computed upon the weight, or tonnage, of the vessel. The receipts from

such a tax were used to keep the harbor and docks in condition to facilitate commerce. These duties are now levied in many foreign countries, but in the United States the Government appropriates money to keep its harbors clear. Docks are owned by private corporations. See River and Harbor Bill.

Torrens System, a plan of registration of land titles which simplifies the transfer of real estate and renders comparatively easy the examination of titles. It was devised by Sir Robert Torrens, an Englishman, from whom it derives its name. When a person desires to have a deed recorded in a State where the Torrens system is in operation, he applies to the County Register of Deeds or a specially constituted court, stating the facts attending the transfer. A notification is issued to all persons who may have any interest in the land in question, and to any one claiming to have a lien on the property. This notice is personally served upon the interested parties, or if they cannot be found, newspaper publication is held legally to serve as a notice. The office of registration examines or causes to be examined the title of the land covered by the transfer; if there are any defects the applicant may remove them, if possible. When finally the title is shown to be clear and the officials are fully satisfied as to its validity, the transfer is registered. Thus the guarantee of a court of record is stamped upon the transaction; the State practically assumes the responsibility of error or flaw in title. The Torrens system was first adopted in Australia, in 1857; the plan is now in successful operation, also, throughout England, and in several States of the American Union.

Tory, a person who, at the time of the American Revolution, adhered to the cause of British sovereignty over the colonies. In England the Tory party was the Court party, after the accession of King James II; it maintained the prerogatives of the Crown to be held by Divine right, up to the Revolution of 1688; it opposed the accession of William and Mary, objected to the toleration of Dissenters and was against the wars of Queen Anne's reign. The Tories heartily supported the policy of George III in colonial matters and were therefore pronounced

enemies, rather than political opponents, of the liberty-seeking colonists.

"To the Victors Belong the Spoils." This was the creed in American politics which declared that public offices should belong always to the party which was victorious at the polls. All positions were considered as spoils of politics, to be parcelled out to faithful party workers in payment for political services. See Spoils System; Civil Service Reform.

Town. As usually considered, a town is any considerable number of occupied dwelling houses, in reasonably close proximity to each other, as distinguished from the adjacent country. The people living under such conditions are usually under their own local government, organized in conformity with State laws. The officers of such an incorporation are a village or town president, clerk, assessor, treasurer, constable, street commissioner, and a board of trustees of six members, who form the local Legislative body. These trustees are chosen for terms of two years, one-half retiring each year; the other officers are usually elected annually.

A village which is not incorporated has no separate political existence, but is a part of the township in which it is situated.

In some parts of the United States, particularly in the Eastern section, a town is in reality a township, and as such is the political unit of the State. In the Western States, the county is the political unit. See Township; City.

The word *town* was brought from England, where it was applied to a single dwelling-house surrounded by a strong hedge or fence, *tun, zaun,* from which the homestead received its name. In those early days of feuds and pillages, the strong wall or the palisade around the house-lot was as necessary a part of the freeman's dwelling as is the roof to the modern temple of religion. The thane who possessed many dwellings upon his house-lot was not hindered from applying the term *town* to his entire enclosure, and if he were a man of authority and had many tenants looking to him for protection, there was no law which prevented him from fortifying his home by making a strong

palisade around the entire cluster of dwellings belonging to himself and his liegemen and of designating the entire settlement a *town.*

Town=Meeting, the unit of government in the New England colonies; in its operation essentially a pure democracy (see DEMOCRACY). Once each year all the men of a town or village met in the "town-meeting," or convention, as we might call it today. It was not an assembly of representatives of the people, but, rather, all of the people in a general assembly, each with the power to vote and to speak. In the town-meeting the taxes for the coming year were voted and all of the affairs of the town were discussed and settled. The public servants who were to carry out the expressed will of the people were there chosen in a free ballot. Naturally, abstract political principles were debated and in these numerous forums public sentiment was created concerning the rights of men. English officers scattered among the colonies came both to hate and to fear these annual events; they reported to their home Government that the town-meeting was a "focus of rebellion." John Fiske, the historian, in his essay on this institution, described it in the following brilliant manner:

> Immediately on their arrival in New England the settlers proceeded to form for themselves a government as purely democratic as any that had ever been seen in the world. Instead of scattering about over the country, the requirements of education and of public worship, as well as of defence against Indian attacks, obliged them to form small village communities. As these villages multiplied, the surface of the country came to be laid out in small districts (usually from 6 to 10 miles in length and breadth) called townships. Each township contained its village, together with the woodlands surrounding it.
>
> From the outset the government of the township was vested in the town-meeting. Once in each year a meeting is held, at which every adult male residing within the limits of the township is expected to be present, and is at liberty to address the meeting or vote upon any question that may come up.
>
> At each annual town-meeting there are chosen not less than three or more than nine selectmen, a town clerk, a town treasurer, a school committee, assessors of taxes, overseers of the poor, constables, surveyors of highways, fence viewers, and other officers. In very small townships the selectmen themselves may act as assessors of taxes or overseers of the

poor. The selectmen may appoint police officers if such are required; they may act as a board of health; in addition to sundry specific duties too numerous to mention here, they have the general superintendence of all the public business, save such as is expressly assigned to the other officers; and whenever circumstances may seem to require it, they are authorized to call a town-meeting.

Besides choosing executive officers, the town-meeting has the power of enacting by-laws, of making appropriations of money for town purposes, and of providing for miscellaneous emergencies by what might be termed special legislation.

It is only in New England that the township system is to be found in its completeness. In several Southern and Western States the administrative unit is the county, and local affairs are managed by county commissioners elected by the people. Elsewhere we find a mixture of the county and township systems. In some of the Western States settled by the New England people, town-meetings are held, though their powers are somewhat less extensive than in New England.

But something very like the "town-meeting principle" lies at the bottom of all the political life of the United States. To maintain vitality in the centre without sacrificing it in the parts; to preserve tranquillity in the mutual relations of forty powerful States, while keeping the people everywhere as far as possible in direct contact with the government, such is the political problem which the American union exists for the purpose of solving, and of this great truth every American citizen is supposed to have some glimmering, however crude.

Township, a territorial division of a county, with certain limited corporate powers of municipal government, ample for local purposes. When any portion of the township becomes so densely populated that township government will no longer satisfy its needs, that particular portion may separate itself in a measure from the township and incorporate as a village, or town, under rules established by the State.

6	5	4	3	2	1
7	8	9	10	11	12
18	17	16	15	14	13
19	20	21	22	23	24
30	29	28	27	26	25
31	32	33	34	35	36

DIAGRAM OF A REGULARLY FORMED TOWNSHIP.

By the United States Surveys, except in the States which were originally the thirteen colonies, the public lands are divided by north-and-south lines parallel to the true meridian, and by others crossing them at right angles. These intersecting lines enclose areas six miles square, and these are called townships. Each township,

when perfect in form, is divided into thirty-six smaller squares, each one mile square, called sections, as shown in the diagram on page 646. The sections are numbered beginning in the northeast corner and proceeding west and east, alternately. The sections are further divided into half-sections (320 acres), quarter-sections (160 acres) and thus down into smaller areas.

The officers of a township are the supervisor, or trustee, clerk, treasurer, assessor, justices of the peace (of whom there may be four), constables, and board of education, all chosen by the people for one year, except members of the school board, whose terms are three years, and justices of the peace, who hold office for four years, one retiring each year. See SUPERVISOR; TOWN; PUBLIC LANDS.

Trade Dollar. The standard silver dollar of the United States contains 412½ grains of silver, .900 fine. To supply the demand for a dollar which could be used by merchants in foreign trade and meet on equal terms the Mexican silver dollar of 420 grains, Congress in 1873 authorized the coinage of trade dollars of the same weight and fineness as the Mexican. These were not intended for domestic use, but being stamped "dollar" they circulated quite freely, although not a legal tender for payments greater than five dollars. In 1878 even this limited legal tender was withdrawn and thereafter until 1887 the trade dollar was used only for export, in conformity with the original intent of the law. In the latter year its coinage was suspended.

Trademark. A trademark is any symbol, name, mark, or other characteristic indication used on a manufactured article to distinguish it from any similar article made and sold by competitors. An act of Congress of 1870 provides that trademarks may be registered in the Patent Office by any person, firm or corporation, and protection in the sole use of the symbol or name guaranteed for a term of thirty years. To obtain and hold this protection the mark must be in actual use, which means that it must be printed or stamped upon goods or upon wrappers containing goods, so that the public may see that the articles thus stamped are those of a particular trader. The trademark

then becomes a part of the good-will of the business of the owner; in many cases this good will and Government protection have been worth millions of dollars to the owner. Protection thus afforded is at once a matter of justice to the producer and a benefit to the public. Certain trademarks have come to be recognized as a standard of excellence in the classes of articles they represent.

The fee for a trademark is $25, payable upon application for registration. Aliens may register their products in the United States and protection is guaranteed them by our courts, provided similar privileges are granted our citizens in the countries of which such aliens are subjects. Registration for a second term of thirty years is not permitted.

Trading Votes. It is quite possible for two people to agree to vote for each other's candidates at an election, as a matter of courtesy, without disloyalty to party or principles. However, it often happens that an entire political organization, or faction of it, withholds its support from one of its own nominees and works for an opponent on another ticket. This is said to be "trading" its candidate, for the friends of the candidate benefited usually agree in turn to "knife" one of their nominees and compliment a certain opponent with their votes. The success of certain men on a ticket is thus assured through the abandonment of the remainder. Such practices are not uncommon, although not always sanctioned by justice or good morals. See KNIFING.

Traitor. A traitor is a person of sound mind, within the meaning of the law, who violates his allegiance to his country and betrays it to its enemies. Such a person is guilty of treason [q. v.] and is punished in accordance with the laws governing that gravest of crimes.

The First Traitor. Since the American colonies proclaimed their independence, Benedict Arnold is considered the greatest traitor whose deeds have darkened the records of our public men. But he was not the first to conspire with the enemies of the new Government. In 1774 Dr. Benjamin Church, of Massachusetts, while proclaiming sympathy with the move-

ment towards independence, secretly gave assistance in all possible ways to the British. He parodied popular songs in favor of liberty and gave them to Tory [q. v.] newspapers; in 1775 a letter in cipher written by him to the English commander in Boston was intercepted in the hands of his mistress. The case was laid before the Continental Congress and resulted in Church's arrest and trial on the charge of engaging in correspondence with the enemy. He was imprisoned for over a year, then released on account of failing health, agreeing in return for his freedom to leave the country. He sailed for the West Indies.

Treason. The best definition of treason is contained in Article III, Section 3, of the Constitution of the United States:

> Treason against the United States shall consist only in levying war against them, or in adhering to their enemies, giving them aid and comfort. No person shall be convicted of treason unless on the testimony of two witnesses to the same overt act, or on confession in open court.
>
> The Congress shall have power to declare the punishment of treason, but no attainder of treason shall work corruption of blood, or forfeiture, except during the life of the person attainted.

Treason is the gravest crime of which the mind can conceive. One man may kill another, but the effects of the crime are limited and local. However, the man who wilfully surrenders any knowledge favorable to his country to its avowed enemies jeopardizes the peace and prosperity of all its citizens. In ancient times such an act might also have put in jeopardy the very lives of all his fellow-subjects.

The definition is broad. It covers not only an act of surrender of property of the Government, but includes any comparatively simple act of lending aid or comfort to any who are openly opposed to the Government. To constitute "levying war" there must be an assemblage of persons for the purpose of effecting by force some treasonable design, such as an attempt to revolutionize the Government of the United States, or any Government established by Federal authority in its Territories. Mere conspiracy [q. v.] cannot be called treason, and it has also been held that rebels engaged in an armed insurrection against

the United States cannot be convicted for "adhering to the enemies," since all involved are citizens, and because their act is solely connected with their own Government.

Should these same rebels add to such conduct a union with foreign interests, then they would be guilty of treason. When war is actually levied, all who perform acts hostile to the interests of their Government, whatever the outcome, or no matter how remote they may be from scenes of action, are traitors. See ATTAINDER.

Treasurer. Whether in the National Government or in State, county, township or other political or civic division, the treasurer is that official who receives public revenues of his territory, carefully guards them in accordance with ways and means provided by law, and pays out of these funds such sums as may be ordered by proper authorities—usually a board of auditors. A treasurer must give a bond to indemnify the public against loss of funds through negligence or dishonesty; amount of surety required is proportionate to the average funds in his possession, but seldom less than double the usual cash balance on hand. State and county treasurers usually serve for terms of two years, and are eligible to not more than two successive terms. See AUDITOR.

Treasury, SECRETARY OF THE. The Secretary of the Treasury was named as the head of the Treasury Department and one of the Executive officers of the Government in the act which provided for the organization of the Treasury Department, in 1789. He is assisted by a Comptroller, an Auditor, a Treasurer of the United States, a Register of the Treasury, and the Assistant to the Secretary. The chief duty of the Secretary personally is to prepare plans for the management of revenue and improvement in the revenue service; he must superintend the collection of all money due the Government and determine upon the plan of keeping accounts; he issues, with the countersignatures of the Comptroller and Register, all warrants for money to be paid from the Treasury according to appropriations made by Congress. The Secretary of the Treasury is in power the third officer of the President's Cabinet, being exceeded in

importance by the Secretary of State and the Secretary of War. It is a matter of doubt whether the Secretary of War should be accorded second place in influence.

The salary of the Secretary from the beginning of the Government has varied as follows: Upon the organization of the department in 1789, $3,500; the next year, $5,000; in 1819, $6,000; in 1853, $8,000; in 1873, $10,000; in 1874, $8,000; in 1907, $12,000. The names of those who have served as Secretaries of the Treasury are given in the subjoined list:

SECRETARIES OF THE TREASURY.

Alexander Hamilton,	New York,	Appointed Sept. 11, 1789.
Oliver Wolcott,	Connecticut,	" Feb. 3, 1795.
Samuel Dexter,	Massachusetts,	" Dec. 31, 1800.
Albert Gallatin,	Pennsylvania,	" May 14, 1801.
George W. Campbell,	Tennessee,	" Feb. 9, 1814.
Alexander J. Dallas,	Pennsylvania,	" Oct. 6, 1814.
William H. Crawford,	Georgia,	" Oct. 22, 1816.
Richard Rush,	Pennsylvania,	" March 7, 1825.
Samuel D. Ingham,	Pennsylvania,	" March 6, 1829.
Louis McLane,	Delaware,	" Aug. 8, 1831.
William J. Duane,	Pennsylvania,	" May 29, 1833.
Roger B. Taney,	Maryland,	" Sept. 23, 1833.
Levi Woodbury,	New Hampshire,	" June 27, 1834.
Thomas Ewing,	Ohio,	" March 5, 1841.
Walter Forward,	Pennsylvania,	" Sept. 13, 1841.
John C. Spencer,	New York,	" March 3, 1843.
George M. Bibb,	Kentucky,	" June 15, 1844.
Robert J. Walker,	Mississippi,	" March 5, 1845.
William M. Meredith,	Pennsylvania,	" March 8, 1849.
Thomas Corwin,	Ohio,	" July 23, 1850.
James Guthrie,	Kentucky,	" March 7, 1853.
Howell Cobb,	Georgia,	" March 6, 1857.
Philip F. Thomas,	Maryland,	" Dec. 12, 1860.
John A. Dix,	New York,	" Jan. 11, 1861.
Salmon P. Chase,	Ohio,	" March 7, 1861.
William P. Fessenden,	Maine,	" July 1, 1864.
Hugh McCulloch,	Indiana,	" March 7, 1865.
Alexander T. Stewart,	New York,	" March 5, 1869.
George S. Boutwell,	Massachusetts,	" March 11, 1869.
William A. Richardson,	Massachusetts,	" March 17, 1873.
Benjamin H. Bristow,	Kentucky,	" June 4, 1874.

Lot M. Morrill,	Maine,	Appointed	July 7, 1876.
John Sherman,	Ohio,	"	March 8, 1877.
William Windom,	Minnesota,	"	March 5, 1881.
Charles J. Folger,	New York,	"	Oct. 27, 1881.
Walter Q. Gresham,	Indiana,	"	Sept. 24, 1884.
Hugh McCulloch,	Indiana,	"	Oct. 28, 1884.
Daniel Manning,	New York,	"	March 6, 1885.
Charles S. Fairchild,	New York,	"	March 31, 1887.
William Windom,	Minnesota,	"	March 5, 1889,
Charles Foster,	Ohio,	"	Feb. 24, 1891.
John G. Carlisle,	Kentucky,	"	March 6, 1893.
Lyman J. Gage,	Illinois,	"	March 4, 1897.
Leslie M. Shaw,	Iowa,	"	Jan. 7, 1902.
George B. Cortelyou,	New York,	"	Dec. 13, 1906.
.....	.....	"	.....
.....	.....	"	.....
.....	.....	"	.....

Treasury Department. One of the earliest departments to be established under the Continental Congress was that of the Treasury, whose chief officer was styled the Superintendent of Finance. Upon the adoption of the Constitution of the United States, the Treasury Department came into existence. Its head is the Secretary of the Treasury. The act establishing this great division of the Executive Department provided for officers inferior to the Secretary of the Treasury as follows: a Comptroller, Auditor, Treasurer of the United States, Register of the Treasury, and an Assistant to the Secretary. The Comptroller [q. v.] decides appeals from the settlement of accounts as made by the Auditors; he is the one man in the Government who stands between the Treasury and those who would secure money from it. He is nearly an autocrat in power. The Comptroller superintends the recovery of debts due to the United States, preserves the accounts after they are adjusted, and countersigns all warrants drawn by the Secretary of the Treasury. The auditors are six in number—one for the Treasury Department, one each for the War, Interior, Navy, Post-office, and the last for the other departments. These auditors examine all accounts in the various departments over which their supervision extends.

The Treasurer of the United States receives and keeps all moneys of the Federal Government and disburses it upon warrants drawn by the Secretary of the Treasury, countersigned by the Comptroller, and recorded by the Register. The Register of the Treasury signs all stocks and bonds of the United States and superintends their issue. He signs all Treasury notes and gold and silver certificates, receives, examines and registers all redeemed notes and other securities. The Bureau of Internal Revenue, the Mint of the United States and the Bureau of Engraving and Printing are under the direction of the Treasury Department. See SECRETARY OF THE TREASURY; INTERNAL REVENUE.

Treasury Notes. Congress is authorized, in Article I, Section 8, Clause 2, of the Constitution, "to borrow money on the credit of the United States." A portion of the public debt is in the form of notes issued under the authority conveyed in this clause. These notes are called Treasury notes, or "legal tenders." They were not made legal tender, however, until 1862; previous to that date they were receivable only for debts with which the general Government was concerned. In February, 1862, Congress provided that Treasury notes should thereafter be "lawful money and a legal tender in payment of all debts, public and private, except duties on imports and interest on the bonds and notes of the United States." See LEGAL TENDER; MONEY.

Treaty. A treaty is a formal agreement or compact, entered into usually for a specified number of years between two or more nations, called in the body of the document the signatory powers. In the United States, the power to make a treaty with a foreign country is vested in the President, but his work must receive the sanction of the Senate, and no treaty can become effective unless the Senate ratifies it by a vote of two-thirds of its membership. Usually the President in person does not participate in the discussions with the representative of the foreign power involved; the negotiations are carried on between the Secretary of State and the Ambassador or Minister of the other country. It is only after their work is completed

that the document is presented to the Senate for approval. When a treaty has been ratified, it becomes the supreme law of the land, as affecting the relations of the two countries involved, anything to the contrary in the laws of the United States or of any State notwithstanding. A treaty may supersede State laws within the sphere of action specifically reserved to the States, except that it cannot encroach upon the individual liberty of any citizen, which is guaranteed by the Constitution. In case a treaty is returned to the President by the Senate without its approval, but with suggested amendments, it is within the power of the President to proceed to further negotiations with the foreign power involved, or he may drop the matter entirely. In case he resorts to the latter expedient, neither the Senate nor any other authority has the power to revive the question.

Treaty with Spain. The student of civil government should be interested in the form of treaties between sovereign States, as well as in their subject-matter. Any good history of the United States gives detailed information regarding all treaties to which this country has been a party; none gives any treaty *verbatim*. Below is the full text of the Treaty of Paris of 1898, closing the Spanish-American War; it is chosen to appear here because the events preceding it are of most recent occurrence in our international relations of this nature, and, besides, its provisions have a direct bearing upon our present government of the island possessions which Spain relinquished to us.

"The United States of America and her Majesty the Queen Regent of Spain, in the name of her august son, Don Alfonso XIII, desiring to end the state of war now existing between the two countries, have for that purpose appointed as plenipotentiaries:

"The President of the United States:

"William R. Day, Cushman K. Davis, William P. Frye, George Gray, and Whitelaw Reid, citizens of the United States.

"And her Majesty the Queen Regent of Spain:

"Don Eugenio Montero Rios, president of the Senate; Don Buenaventura de Abarzuza, Senator of the kingdom and ex-minister of the crown; Don José de Garnica, deputy to the Cortes and associate justice

of the Supreme Court; Don Wenceslao Ramirez de Villa Urrutia, envoy extraordinary and minister plenipotentiary at Brussels, and Don Rafael Cerero, General of Division.

"Who, having assembled in Paris and having exchanged their full powers, which were found to be in due and proper form, have, after discussion of the matters before them, agreed upon the following articles:

"Article 1. Spain relinquishes all claim of sovereignty over and title to Cuba.

"And as the island is, upon its evacuation by Spain, to be occupied by the United States, the United States will, so long as such occupation shall last, assume and discharge the obligations that may under international law result from the fact of its occupation for the protection of life and property.

"Art. 2. Spain cedes to the United States the island of Porto Rico and other islands now under Spanish sovereignty in the West Indies, and the island of Guam, in the Mariannes or Ladrones.

"Art. 3. Spain cedes to the United States the archipelago known as the Philippine Islands, and comprehending the islands lying within the following lines:

" A line running from west to east along or near the twentieth parallel of north latitude, and through the middle of the navigable channel of Bachti, from the one hundred and eighteenth to the one hundred and twenty-seventh degree, meridian of longitude east of Greenwich, thence along the one hundred and twenty-seventh degree meridian of longitude east of Greenwich to the parallel of four degrees and forty-five minutes north latitude, thence along the parallel of four degrees and forty-five minutes north latitude to its intersection with the meridian of longitude one hundred and nineteen degrees and thirty-five minutes east of Greenwich, thence along the meridian of longitude one hundred and nineteen degrees and thirty-five minutes east of Greenwich to the parallel of latitude seven degrees and forty minutes north, thence along the parallel of latitude seven degrees and forty minutes north to its intersection with the one hundred and sixteenth degree meridian of longitude east of Greenwich, thence by a direct line to the intersection of the tenth degree parallel of north latitude with the one hundred and eighteenth degree meridian of longitude east of Greenwich, and thence along the one hundred and eighteenth degree meridian of longitude east of Greenwich to the point of beginning.

"The United States will pay to Spain the sum of $20,000,000 within three months after the exchange of the ratifications of the present treaty.

"Art. 4. The United States will, for ten years from the date of exchange of ratifications of the present treaty, admit Spanish ships and merchandise to the ports of the Philippine Islands on the same terms as ships and merchandise of the United States.

"Art. 5. The United States will, upon the signature of the present treaty, send back to Spain, at its own cost, the Spanish soldiers taken as prisoners of war on the capture of Manila by the American forces. The arms of the soldiers in question shall be restored to them.

"Spain will, upon the exchange of the ratifications of the present treaty, proceed to evacuate the Philippines, as well as the island of Guam, on terms similar to those agreed upon by the commissioners appointed to arrange for the evacuation of Porto Rico and other islands in the West Indies under the protocol of August 12, 1898, which is to continue in force till its provisions are completely executed.

"The time within which the evacuation of the Philippine Islands and Guam shall be completed shall be fixed by the two governments. Stands of colors, uncaptured war-vessels, small-arms, guns of all calibres, with their carriages and accessories, powder, ammunition, live-stock, and materials and supplies of all kinds belonging to the land and naval forces of Spain in the Philippines and Guam, remain the property of Spain. Pieces of heavy ordnance, exclusive of field artillery, in the fortifications and coast defences, shall remain in their emplacements for the term of six months, to be reckoned from the exchange of ratifications of the treaty; and the United States may in the mean time purchase such material from Spain if a satisfactory agreement between the two governments on the subject shall be reached.

"Art. 6. Spain will, upon the signature of the present treaty, release all prisoners of war and all persons detained or imprisoned for political offences in connection with the insurrections in Cuba and the Philippines and the war with the United States.

"Reciprocally the United States will release all persons made prisoners of war by the American forces, and will undertake to obtain the release of all Spanish prisoners in the hands of the insurgents in Cuba and the Philippines.

"The government of the United States will at its own cost return to Spain, and the government of Spain will at its own cost return to the United States, Cuba, Porto Rico, and the Philippines, according to the situation of their respective homes, prisoners released or caused to be released by them, respectively, under this article.

"Art. 7. The United States and Spain mutually relinquish all claims for indemnity, national and individual, of every kind, of either government, or of its citizens or subjects, against the other government which may have arisen since the beginning of the late insurrection in Cuba and prior to the exchange of ratifications of the present treaty, including all claims for indemnity for the cost of the war. The United States will adjudicate and settle the claims of its citizens against Spain relinquished in this article.

"Art. 8. In conformity with the provisions of Arts. 1, 2, and 3 of this treaty, Spain relinquishes in Cuba and cedes in Porto Rico and other islands in the West Indies, in the island of Guam, and in the Philippine

Archipelago all the buildings, wharves, barracks, forts, structures, public highways, and other immovable property which in conformity with law belong to the public domain and as such belong to the crown of Spain.

"And it is hereby declared that the relinquishment or cession, as the case may be, to which the preceding paragraph refers, cannot in any respect impair the property or rights which by law belong to the peaceful possession of property of all kinds of provinces, municipalities, public or private establishments, ecclesiastical or civic bodies, or any other associations having legal capacity to acquire and possess property in the aforesaid territories, renounced or ceded, or of private individuals, of whatsoever nationality such individuals may be.

"The aforesaid relinquishment or cession, as the case may be, includes all documents exclusively referring to the sovereignty relinquished or ceded that may exist in the archives of the peninsula. Where any document in such archives only in part relates to said sovereignty, a copy of such part will be furnished whenever it shall be requested. Like rules shall be reciprocally observed in favor of Spain in respect of documents in the archives of the islands above referred to.

"In the aforesaid relinquishment or cession, as the case may be, are also included such rights as the crown of Spain and its authorities possess in respect of the official archives and records, executive as well as judicial, in the islands above referred to, which relate to said islands or the rights and property of their inhabitants. Such archives and records shall be carefully preserved, and private persons shall,without distinction, have the right to require, in accordance with the law, authenticated copies of the contracts, wills, and other instruments forming part of notarial protocols or files, or which may be contained in the executive or judicial archives, be the latter in Spain or in the islands aforesaid.

"Art. 9. Spanish subjects, natives of the peninsula, residing in the territory over which Spain by the present treaty relinquishes or cedes her sovereignty, may remain in such territory or may remove therefrom, retaining in either event all their rights of property, including the right to sell or dispose of such property or of its proceeds; and they shall also have the right to carry on their industry, commerce, and professions, being subject in respect thereof to such laws as are applicable to other foreigners. In case they remain in the territory they may preserve their allegiance to the crown of Spain by making, before a court of record, within a year from the date of the exchange of ratifications of this treaty, a declaration of their decision to preserve such allegiance; in default of which declaration they shall be held to have renounced it and to have adopted the nationality of the territory in which they may reside.

"The civil rights and political status of the native inhabitants of the territories hereby ceded to the United States shall be determined by the Congress.

"Art. 10. The inhabitants of the territories over which Spain relinquishes or cedes her sovereignty shall be secured in the free exercise of their religion.

"Art. 11. The Spaniards residing in the territories over which Spain by this treaty cedes or relinquishes her sovereignty shall be subject in matters civil as well as criminal to the jurisdiction of the courts of the country wherein they reside, pursuant to the ordinary laws governing the same; and they shall have the right to appear before such courts and to pursue the same course as citizens of the country to which the courts belong.

"Art. 12. Judicial proceedings pending at the time of the exchange of ratifications of this treaty in the territories over which Spain relinquishes or cedes her sovereignty shall be determined according to the following rules:

"First. Judgments rendered either in civil suits between private individuals, or in criminal matters, before the date mentioned, and with respect to which there is no recourse or right of review under the Spanish law, shall be deemed to be final, and shall be executed in due form by competent authority in the territory within which such judgments should be carried out.

"Second. Civil suits between private individuals which may on the date mentioned be undetermined shall be prosecuted to judgment before the court in which they may then be pending, or in the court that may be substituted therefor.

"Third. Criminal actions pending on the date mentioned before the Supreme Court of Spain against citizens of the territory which by this treaty ceases to be Spanish shall continue under its jurisdiction until final judgment; but, such judgment having been rendered, the execution thereof shall be committed to the competent authority of the place in which the case arose.

"Art. 13. The rights of property secured by copyrights and patents acquired by Spaniards in the island of Cuba, and in Porto Rico, the Philippines, and other ceded territories, at the time of the exchange of the ratifications of this treaty, shall continue to be respected. Spanish scientific, literary, and artistic works not subversive of public order in the territories in question shall continue to be admitted free of duty into such territories for the period of ten years, to be reckoned from the date of the exchange of the ratifications of this treaty.

"Art. 14. Spain shall have the power to establish consular officers in the ports and places of the territories the sovereignty over which has either been relinquished or ceded by the present treaty.

"Art. 15. The government of each country will, for the term of ten years, accord to the merchant vessels of the other country the same treatment in respect to all port charges, including entrance and clearance dues, light dues, and tonnage duties, as it accords to its own merchant vessels not engaged in the coastwise trade.

"This article may at any time be terminated on six months' notice given by either government to the other.

"Art. 16. It is understood that any obligations assumed in this treaty by the United States with respect to Cuba are limited to the time of its occupancy thereof; but it will upon the termination of such occupancy advise any government established in the island to assume the same obligations.

"Art. 17. The present treaty shall be ratified by the President of the United States, by and with the advice and consent of the Senate thereof, and by her Majesty the Queen Regent of Spain; and the ratifications shall be exchanged at Washington within six months from the date hereof, or earlier if possible.

"In faith whereof we, the respective plenipotentiaries, have signed this treaty and have hereunto affixed our seals.

"Done in duplicate at Paris, the tenth day of December, in the year of our Lord one thousand eight hundred and ninety-eight."

(SEAL.)

"WILLIAM R. DAY,
"CUSHMAN K. DAVIS,
"WILLIAM P. FRYE,
"GEORGE GRAY,
"WHITELAW REID.
"EUGENIO MONTERO RIOS,
"B. DE ABARZUZA,
"J. DE GARNICA,
"W. R. DE VILLA URRUTIA,
"RAFAEL CERERO."

Trent Affair. See MASON AND SLIDELL.

Trial by Jury. The origin of the present world-wide system of trial by jury can be traced to the days of ancient Greece and Rome. History cites a custom in Athens whereby a specified number of freemen were chosen by lot to hear and decide, under the direction of a presiding magistrate, every case at law. A very similar system existed in Rome, and as Roman customs were extended to all conquered territory, a jury system was carried to nearly all of the ancient world. It reached Britain through this influence, but the Saxons on the island possessed a mode of their own called trial by compurgation. In this, each party to the cause appeared, with certain of his friends, who swore to the truth of his case. Usually the number of compurgators on a side was six, making twelve men to weigh the issues, and many investigators believe this marked the introduction of the modern jury of twelve men. Further witnesses were allowed to be introduced into a case during the reign of Edward III; in the reign of Queen Anne it was decreed

that thereafter any person having evidence to give could not be a juryman. The form of trial by jury was brought from England to the American colonies; it was recognized as one of the safeguards of liberty, prized especially by Englishmen since Magna Charta was wrested from an unwilling sovereign. The Constitution of the United States and all State Constitutions specifically declare that no person accused of crime shall be deprived of his liberty without due process of law, the merits of his case to be established by a public and speedy trial before a jury of his peers. In a civil case the defendant is entitled to a jury trial if the amount at issue is twenty dollars or over. See JURY; MAGNA CHARTA; PEER; VENUE.

Triple-Headed Monster. This name was applied by its enemies to the Constitution of the United States while it was before the people of the thirteen States for ratification. The allusion is to its division of the Government into the three main departments—Executive, Legislative and Judicial.

True Bill. The decision of a grand jury, in writing, relative to a case in hearing before it, is called a bill. If the jury finds sufficient evidence to warrant holding the accused to the courts for trial in regular order, its finding is called a true bill, and it is composed of one or more counts, each count specifying a particular alleged violation of the law. If its investigation develops insufficient evidence to warrant holding the accused for trial, the finding is "no bill." See GRAND JURY.

Trustee. In the government of a village, the power to enact legislation appropriate to the needs of the municipality is vested in a Board of Trustees, usually of six members. The trustees serve for two years, one-half of the number retiring every year. The chief Executive officer of the village, the president, is chairman of the Board of Trustees. These officers almost invariably serve without remuneration. In some States the people of a county elect three Trustees, who have supervision over all Executive matters within their territory. These compare with the Board of Supervisors of other States.

Trusts. As commonly understood, a trust is a permanent combination of several business enterprises, in number sufficient

to represent a majority of those producing a given commodity. The object of such an organization is manifestly to control the production and price of its manufactured articles, or in case of a combination of traction lines, to dominate the territory affected, in the matter of rates and service. A single business enterprise, no matter how large or how great its output, which has all of its plant located in one place, under one business management, cannot be called a trust; it is likewise true that a single business comprising a number of separately located establishments or branches is not a trust. The term had its origin in the form of organization adopted in 1882, to combine the interests of competing producers of oil. The stockholders of all the corporations which were parties to the agreement placed all their shares of stock in the hands of trustees and received in exchange trust certificates. These trustees had absolute power of voting the stock that was placed in their hands, and were therefore able to control the policy of each corporation which entered into the agreement. These gigantic combinations of capital have been the subject of much legislation, and anti-trust laws have been passed, not only by Congress, but by many of the State Legislatures.

Twisting the Lion's Tail. The sovereign power of Great Britain is represented pictorially by a lion, symbolical of great prowess. Many things in the political history of that country have been the subject of criticism by Americans, and not a few persons in public life, possibly more to gratify a constituency largely of foreign birth than for any other reason, lose no opportunity to voice their disapproval of England's political policies. This pastime has been referred to as "twisting the lion's tail" to hear him roar.

U

Uncle Sam. The pictorial representation of the personified United States is a tall, lank, benignant middle-aged man, of Yankee characteristics, dressed in the prevailing style of the early nineteenth century. His clothing is in pattern a combination of the Stars and Stripes. This caricature is familiarly known to every American as "Uncle Sam." The name originated in a very unromantic way during the War of 1812. Two inspectors of provisions purchased for the army at Troy, N. Y., were Ebeneezer and Samuel Wilson, employed by the army contractor, Elbert Anderson. To Samuel Wilson, called "Uncle Sam" by all who knew him, was entrusted the duty of placing marks of acceptance upon all packages approved for purchase. The usual marks were "E. A." and "U. S.", the former the initials of the contractor, placed above the second, which meant "United States." A facetious workman, witnessing Samuel Anderson in the act of marking these letters upon a box, said they might stand for Ebeneezer Anderson and Uncle Sam Wilson. The pleasantry was soon current comment, and the connection between "Uncle Sam" and the United States was established. When an artist, now unknown to fame, offered his pictorial interpretation of the name, it was immediately and enthusiastically accepted.

Uncurrent Money is legal tender, either gold or silver, which has been so worn by handling or mutilated by sweating as to be difficult to identify or below lawful weight. The Government will redeem a piece of paper money whenever its face value can be established; short-weight coin will only be accepted at the Treasury at its actual value, ascertained by weight. See Sweated Money.

Underground Railroad. During the days preceding the Civil War and up to the date of the Proclamation of Emancipation, Northern sympathizers with the negro bondmen maintained a system to aid slaves to freedom, by piloting them through the Northern States into Canada, where they

would be safe. Negroes who succeeded in reaching the Ohio River were met at stated points by friendly whites and given directions for night travel to the next stopping place, which could be reached before dawn. During the day they were secreted and at night started on another portion of their journey. So secretly were the means of escape guarded and so swiftly were the fugitives passed along the route that it was declared there must be an underground railway to facilitate their flight. This phrase, while it proclaimed what everybody knew to be impossible, caught the popular fancy and was applied as long as the operations continued. The Fugitive Slave Laws [q. v.] were passed to prevent these unlawful practices, but they failed largely to be respected.

Under-Measurement. One of the devices by which a Government is defrauded of a part of its duties on imports is by under-measurement. The invoices accompanying the goods indicate measures of capacity which are under the real ones, and the importer is thus able to escape payment of full duties. However, there is always danger of detection by officials, with resulting confiscation.

Under-Valuation. This is one of the means employed to defraud a Government of part of its customs duties. Invoices accompanying imports are made out for less than the actual value of the merchandise, and the importer is thus able to evade a certain part of the duty.

United Labor Party, a political party which combined several labor organizations which had singly entered the political arena. In the Presidential campaign of 1888 this party polled only 2808 votes; it allied itself later with the National Union Labor party and in succeeding National campaigns the combination attracted 21,164 votes in 1892, 36,274 in 1896, and 39,537 in 1900. Since then the votes of the party have been divided among the larger National political organizations; it was never a faction to be seriously considered. See Political Parties in the United States.

United States Bank. The first United States Bank was established by Act of Congress in July, 1791. It was organized

at Philadelphia, with a capital of $10,000,000, divided into 25,000 shares. The act prescribed that any person, copartnership, or body politic might subscribe for any number of shares not exceeding 1,000—only the United States could subscribe for more than this number of shares; that with the exception of the United States the subscriptions should be payable one fourth in gold and silver, and the remaining three fourths in six per cent bonds of the United States. The general effect of this institution was salutary. The credit of the United States became firmly established. The bank notes stood at par with gold and silver. The large deposits made the money available for the use of the Treasury, and the State bank currency, which had flooded the country with no prospects of redemption, was greatly reduced. But with all its recognized advantages, the act to recharter was defeated in 1811 by the casting vote of the Vice-President, George Clinton. Its loss, however, was immediately felt in the sudden and rapid increase of the currency of the State banks. To ward off an impending crisis, a second bank was established by an act approved by President Madison, April 10, 1816, at Philadelphia. A capital of $35,000,000 was required, which was to be equally divided into 350,000 shares, of which the United States took one-fifth. The charter extended to March 3, 1836. The bank was prohibited from lending, on account of the United States, more than $500,000. In time, to facilitate business, branch offices were established in every State. In December, 1829, the bank met strenuous opposition in the message of President Jackson, who argued, as did Jefferson when the first bank was started, against the constitutionality of its charter; and when Congress, in 1832, passed a bill to recharter the institution he interposed his veto, and soon after removed from the bank the United States deposits. The bank corporation, however, continued to exist until the charter terminated. Since that date the Government has not participated in the business of banking; public funds have been safeguarded in the Treasury.

United States Circuit Court. See CIRCUIT COURT, UNITED STATES.

United States Circuit Court of Appeals. See CIRCUIT COURT OF APPEALS.

United States Debt. See DEBT OF THE UNITED STATES.

United States Flag. See FLAG OF THE UNITED STATES.

United States Marshal. See MARSHAL, UNITED STATES.

United States Naval Academy. See NAVAL ACADEMY.

Unit Rule. The practice in National conventions of requiring the recorded vote of each State on any question to be unanimous is the application of what is known as the unit rule. There may be a difference of opinion among the delegates from a State, but the majority rules and the State vote is announced in accordance with the views of the majority, the minority being forced to concur. The rule is not popular, and is now seldom applied, the votes of individual delegates being usually recorded. Democratic National conventions yet apply the unit rule.

Unlimited Monarchy. See MONARCHY.

Unreconstructed was a term applied for years after the Civil War to those Southerners who refused to be reconciled to the new political order resulting from that struggle. The process of receiving the seceded States back into the Federal Union was called Reconstruction.

Utah. As early as 1540 this section was visited by the Spaniards. Great Salt Lake was discovered in 1824 by explorers from the eastern part of our country, and the first settlement was made in 1847 at Salt Lake City by the Mormons, who had been driven from Illinois. In March, 1849, a petition was presented to Congress for statehood under the name of Deseret, but it was rejected. In September of the next year the Territory of Utah was organized, and Brigham Young was appointed Governor. In March, 1895, a Constitutional Convention met and Utah obtained statehood on January 14th, 1896.

STATE SEAL OF UTAH.

Government. The Legislature consists of a Senate of 18 members, elected for four years, and a House of Representatives of 46 members, elected for two years. Sessions are held biennially, are limited to sixty days, and members receive $4.00 per day, and mileage. The officers of the State are the Governor, Lieutenant-Governor, Secretary of State, Auditor, Treasurer, Attorney-General and Superintendent of Public Instruction, all elected for four years. The Judicial Department consists of a Supreme Court of three Judges, elected for six years; ten District courts with one Judge each, elected for four years, and Justices of the Peace.

V

Vacancies, How Filled. A vacancy may occur in the public service of the United States or of any State by reason of death, resignation, removal from office or disqualification. In connection with some of the most important officers the rules of succession are given below:

President. By mandate of the Constitution the Vice-President, whose qualifications must be the same as are required of the President, succeeds to the Presidency. If he, too, retires for any reason before the end of the unexpired term, then the Cabinet members, in rotation, are promoted to the vacant post. See Presidential Succession.

United States Senator. A Senator is a high State officer who represents his Commonwealth in Congress. He would address his resignation to the Governor of his State. The State Legislature elects his successor, and if this body is in session at the time of the resignation it will at once choose a successor. If not in session, the Governor may call it to meet in special session for the purpose of making a choice, or at his option he may name a temporary appointee to serve until the Legislature shall elect, at its next regular session. One of these plans is followed in every State whenever a Senator's seat becomes vacant.

United States Representative. The life of a Congress is but two years. If any Congressional District is deprived of its member in the latter half of the term it is unlikely that the vacancy would be filled. However, when it is deemed expedient to provide a successor, the Governor of the State shall by proclamation name a day on which an election shall be held throughout the District. Caucuses and nominating conventions and the usual political machinery would be put in motion as on all regular occasions for choosing Representatives.

Governor. The Constitutions of all the States provide that the Lieutenant-Governor shall succeed to the vacant Governorship. If that person dies or is disqualified the Legislature

would meet in special session and appoint a day for the election of a man to complete the unexpired term.

Venue is the place or neighborhood in which a suit at law arises or in which it is alleged a crime has been committed. In court practice venue usually means county; the jury to try the issues of a case must be selected from the county in which the issue arises, and in that county, except under extraordinary conditions, the trial must be held.

Change of Venue. If an accused person in a trial where his life or liberty is in jeopardy believes because of wide publicity given the case there exists very general prejudice against him, he may appeal to the court to permit the trial to be conducted in another county. Affidavits must be presented to the trial Judge supporting the allegations of prejudice, and the Prosecuting Attorney must be heard in opposition to the proposal. Decision rests solely with the court; if the prayer is granted he must name the county to which the case is transferred.

Vermont. The earliest explorations here were made by the French under Champlain, in 1609, although some authorities credit Cartier with visits to this section in 1535. The first settlement was made in 1664 by the French. The first English colony was planted in 1724, by people from Massachusetts. The Government of Vermont was a part of that of New Hampshire and New York until 1775, when a convention took steps to secure independence. In 1771 the name of Vermont was officially adopted, and it became a State on the adoption of its Constitution, in 1791.

STATE SEAL OF VERMONT.

Government. The second Constitution was adopted in 1793, and this has been amended five times, the last in 1883. Amendment is possible no oftener than every tenth session of the Legislature, which meets every two years. There are 30 Senators and 246 Representatives, elected for two years, and their compensation is $3.00 per day, and mileage. The officers of the State are the Governor, Lieutenant-Governor,

Secretary of State, Treasurer, and Auditor, all elected for two years. There is a Supreme Court of seven members, elected biennially by the Legislature. Every county has a County Court; there are Probate courts and Justices of the Peace.

Veto is a Latin word meaning "I forbid." It is within the Constitutional right of an Executive—President, Governor, or Mayor—to refuse to approve laws or ordinances passed by the Legislative body. This provision is one of the means of making various departments of a Government mutually responsible for all enactments (see CHECKS UPON GOVERNMENT). While in the United States the word is applied as a common term to the power of the President to refuse assent to an act of Congress, it does not appear in the Constitution.

If an act is vetoed it is not necessarily killed. Such arbitrary power is not vested in one person, although the influence of a veto is very difficult to overcome. If the President withholds his approval, the bill is returned by him to that House of Congress in which it originated. He sends with it a message detailing the reasons why it should not become a law. If his opinion does not find favor with the majority in Congress, each House may attempt to pass it again, with or without amendment. If two-thirds of each House (not two-thirds of those present, but that portion of the entire membership) vote affirmatively, then the bill becomes a law without Executive approval. If on its second passage it has not been amended, it does not go again to the President for approval, for obvious reasons; if, however, amendments have been added, then it is in effect a new bill and must be treated as such. The same privilege of passing a bill over a veto is permitted Legislatures of all the States and the Boards of Aldermen of cities; in many instances only a majority [q. v.] is needed in support of the measure on the second occasion. See ACT; BILL; POCKET VETO.

Vice=Admiral. This office is second in rank in the navy of the United States, ranking that of Rear-Admiral, and being inferior only to that of Admiral. The grade is seldom in commission, but is authorized on special occasions to honor naval officers who have achieved unusual distinction. When a Vice-

Admiral dies, the grade usually lapses, and is not revived until another fitting occasion. The last Vice-Admiral of the navy was Stephen C. Rowen, who died in 1900. The Vice-Admiral of the navy ranks with the Lieutenant-General of the army. The salary of the office is $9,000 per year.

Vice-President. In the Constitutional Convention for the first three months of its sessions, the office of Vice-President had not been seriously considered. It had been proposed and generally agreed to that the Senate should choose its own presiding officer, which same privilege was also extended to the House of Representatives. This disposition of the Presidency of the Senate was made with the understanding that the President of the United States should be chosen by the Senate, but when it was finally determined that the President should be elected by the people, through electors of the President, then the other plan was changed, and it was determined to choose the Vice-President in the same manner.

Under the rule that has been effective since the organization of the Government, the Vice-President nominally has but little to do. He is officially the second person in authority in the Government, but actually he is at least third. There is no doubt that the Speaker of the House of Representatives is in point of power the second official in the United States. The Vice-President is the presiding officer of the Senate. Acting in this capacity, he guides the work of that body by applying the Senate-made parliamentary rules to its deliberations. Not being a member of the Senate, he is not entitled to vote, except in case of a tie. For the same reason he cannot participate in the selection of committees of the Senate, that task being retained in the hands of the Senators themselves.

The selection of Vice-President of the United States is really a very important matter, because through the death, resignation or permanent inability of the President to perform his duties, the Vice-President becomes Chief Executive. This has occurred five times in the history of the country, each time the succession being occasioned by the death of the President. As presiding officer of the Senate, the Vice-President is empow-

ered by the Constitution to preside at trials brought under articles of impeachment. There is one exception to this rule; when the President of the United States is tried on impeachment charges, it might be very embarrassing for the Vice-President to sit as judge; his personal and political interests in the matter would be naturally so great that partisans of the President might find ground for charges of unfairness in his conduct of the impeachment trial. Therefore, under such conditions the Chief Justice of the United States takes the place of the Vice-President and sits as judge.

In case of the death, removal or disqualification of the Vice-President, no successor, as such, is chosen, but one of the Senators previously chosen as President *pro tempore* would become permanent presiding officer, without, however, the right of succession to the Presidency. The term of the office is the same as that of the President of the United States; he is inaugurated on the same day, the ceremony taking place in the Senate Chamber immediately after the inauguration of the President.

The salary of the Vice-President was at first $5,000; in 1853 it was raised to $8,000; in 1873, to $10,000; in 1874, reduced to $8,000; and in 1906 raised to $12,000. The names of those who have occupied the office of Vice-President follow:

John Adams, 1789 to 1797.
Thomas Jefferson, 1797 to 1801.
Aaron Burr, 1801 to 1805.
George Clinton, 1805 to 1812. Died April 20, 1812.
Elbridge Gerry, 1813 to 1814. Died November 23, 1814.
Daniel D. Tompkins, 1817 to 1825.
John C. Calhoun, 1825 to 1832. Resigned December 28, 1832.
Martin Van Buren,1833 to 1837.
Richard M. Johnson, 1837 to 1841.
John Tyler, 1841 to 1841. Became President, April 6, 1841.
George M. Dallas, 1845 to 1849.
Millard Filmore, 1849 to 1850. Became President July 9, 1850.
William R. King, 1853 to 1853. Died April 18, 1853.
John C. Breckenridge, 1857 to 1861.
Hannibal Hamlin, 1861 to 1865.
Andrew Johnson, 1865 to 1865. Became President, April 15, 1865.

Schuyler Colfax, 1869 to 1873.
Henry Wilson, 1873 to 1875. Died November 23, 1875.
William A. Wheeler, 1877 to 1881.
Chester A. Arthur, 1881 to 1881. Became President, September 20, 1881.
Thomas A. Hendricks, 1885 to 1885. Died November 25, 1885.
Levi P. Morton, 1889 to 1893.
Adlai E. Stevenson, 1893 to 1897.
Garret A. Hobart, 1897 to 1899. Died November 21, 1899.
Theodore Roosevelt, 1901 to 1901. Became President, September 14, 1901.
Chas. N. Fairbanks, 1905 to 1909.
.....to.....

See PRESIDENT OF THE SENATE; PRESIDENT PRO TEMPORE; PRESIDENTIAL SUCCESSION.

Vigilance Committee. In the early days of the settlement and development of the Western United States the machinery of the courts could not keep pace with the demands upon it. There was very frequently need of the strong arm of the law in communities where the Judicial system was yet to be organized, or where the administration of law was not feared by the desperado. As a means of protection against lawlessness, associations of private persons were numerously organized throughout the new Western country for the purpose of dealing summarily with crime and disorder. These associations by the force of public opinion were judges of the law and the facts and were court, prosecutors and jury in every case demanding their attention. As nearly as possible they followed legal forms of trial and court procedure; punishment followed swiftly upon evidence of guilt. The death penalty was applied to all serious offenders, from horse-stealing to the graver crimes. The Vigilantes served their country well in a time when constituted authority could not be invoked; they ceased operations always as soon as the courts and law officers were able to afford adequate protection. In California the vigilance committees were most active, in the years following the discovery of gold; similar organizations later performed effective service in Colorado, Utah, Montana, New Mexico, Arizona, Idaho and Nevada. See JUDGE LYNCH.

Village. A part of a township so thickly settled that the limited legislation necessary for the conduct of the township's affairs is not adequate to meet its needs, secures from the State authority to incorporate as a separate political division. Thereafter it conducts its purely local affairs independently of the township surrounding it, although yet a part of it in certain matters of government and taxation. Such an incorporation is called a village in some parts of the country, a town in other parts. See TOWN; CITY.

Virginia. On April 10, 1606, Charles I of England issued the "First Charter of Virginia" to the Virginia Company. At that time Virginia included all the lands between 34° and 45° north latitude. The new colony thus founded was a Crown colony, and under this charter Jamestown was settled the year following; it was the first English settlement in the New World. In 1609 a second charter was granted, under which the colony was practically independent and governed by local officials. Twenty-five years later the colony was organized into counties and parishes, each of which sent a representative to the House of Burgesses. The State ratified the Federal Constitution on June 25, 1788.

STATE SEAL OF VIRGINIA.

Government. The first Constitution was adopted in 1776, and with little change it survived until 1902, when the Constitution now in force was adopted. The Legislative body is called the General Assembly, and it consists of a Senate of not fewer than 33 members and not more than 40 members, and a House of Delegates of not more than 100 members nor fewer than 90 members. The Senators are chosen for four years, and the members of the House for two years. The officers of the State are the Governor, Lieutenant-Governor, Secretary of Commonwealth and State Treasurer, all elected for four years. The Auditor receives his position by appointment of the two Houses sitting together, and his term is four years. At the head of the Judicial Department is the Supreme Court of

Appeals; below which are Circuit courts, Co-operative courts and City courts.

Virginia Resolutions. See KENTUCKY RESOLUTIONS.

Viva Voce. This is the name applied to the method of voting by word of mouth, the presiding officer calling upon all those who favor a measure to say "aye", the response being in unison; immediately all who oppose the proposition are invited to say "no". This method of registering a vote is permitted only on such questions as do not affect legislation involving expenditures; also on the passage of bills the roll is called and each member's vote is placed on record. See YEA AND NAY.

Vote. A vote is a formal expression of will or opinion in regard to some question submitted to electors for decision, such as the choice of public officers, sanctioning laws and passing resolutions. The choice of public officers is always made by ballot, and in almost every State of the Union the Australian ballot system is in force. The safeguards surrounding the act of voting vary in the different States, as do also the conditions which make one eligible to cast a ballot. See AUSTRALIAN BALLOT; NATURALIZATION.

Vote for Presidents. See POPULAR VOTE FOR PRESIDENTS.

Voter. A voter is a person, either male or female, who is qualified under the laws of the State of residence to cast a ballot for officers at any election. Each State decides for itself what qualifications it shall demand for electors, entirely without Federal interference. See QUALIFICATIONS OF VOTERS.

Voters, QUALIFICATIONS OF. See QUALIFICATIONS OF VOTERS.

Voting in the Air. If a person marks his ballot at an election for a candidate who admittedly has no chance of being elected, he is said to be throwing away his vote, or to be "voting in the air." The phrase is significant of an action which, while harmless in itself, benefits nobody; but critics of such electors fail to note the possible moral issues involved.

Voting Machine, a mechanical device for registering the will of a voter and automatically totaling the votes as they are cast. The laws of a number of States have authorized the use

of these machines at elections, and they are fast coming into favor. In an election where a voting machine is used, it is quite impossible for any person to commit fraud, inasmuch as an attempt to vote fraudulently will cause the machine automatically to lock itself and the vote will fail to be registered. As soon as the machine is opened after the polls are closed, the result of the vote appears before the eye, and thus many hours of wearisome counting of ballots is avoided.

W

Wampum. Porcelaine currency, zewant, or wampum, was a variety of money current among the Indians at the time of the discovery of America, especially among the Algonquins; later it was adopted, because of its convenience, by English, French and Dutch colonists. The word was a contraction of *wampum-peague*, from an Algonquin term meaning *white*, and the Iroquoian *peague*, meaning purple. Wampum was made from the eye of the hard-shell clam and from the stem of the shell of the periwinkle, a sea-snail. It was worked into the shape of a coin or a bead, through the center of which a hole was drilled to permit stringing on threads made of various materials. Official records in all the early colonies legalized wampum as money. In 1662 New Netherlands voted that certain payments might be made in wampum and beaver skins; Massachusetts decreed that wampum should be legal tender "six for a penny" for all sums under twelve pence. In 1640 Connecticut and New Haven voted "a fair fathom of purple wampum to be worth ten shillings, and one fathom of white wampum, five shillings." In New Amsterdam, in 1640, the records show that "four beads of good, black, well strung wampum, or eight of white" would be accepted at the value of one stuyver, a Dutch coin current at about one cent of our present coinage. The purple and white wampum of those days formed a double standard of currency, comparable to the gold and silver standard of later days. The Dutch designated wampum as zewant; the French, as porcelaine. See MONEY.

Ward. A territorial division of a city, set apart from other portions of the municipality for purposes of better local government, is called a ward. From each ward of a city two aldermen are elected, each for a two-year term, to represent that political division in the city council, or board of aldermen. For convenience in voting, each ward is divided into precincts, all the electors in one precinct casting their votes in the same place. The boundaries of the wards and precincts are usually

fixed by the board of aldermen, although sometimes by the State Legislature.

War Democrats. Those members of the Democratic party who gave their support to the Lincoln administration and Republican policies during the Civil War, against the opposition of a large portion of their party in the United States, were called War Democrats.

War Department. That branch of the Government which exercises control over all affairs of the army, except in the matter of legislation in its behalf, is the War Department. It is an Executive division, whose head, the Secretary of War, is a member of the Cabinet of the President. The Department was provided for when the Government under the Constitution was established. Until 1798 the War Department had control, also, over naval affairs, as our navy was so small that a separate Executive division was not deemed necessary for it.

The President of the United States is commander-in-chief of the army, but all routine affairs pass through the hands of the Secretary of War, who is personally responsible in all things to his chief. Under the Secretary are various military officers, on the Staff of the army, detached from active service to aid in the conduct of the Department. There are the following bureaus, the titles of which quite fully explain the details falling to the direction of each: Offices of the Military Secretary, Inspector-General, Judge-Advocate-General, Quartermaster-General, Commissary-General, Surgeon-General, Paymaster-General, Chief of Engineers, Chief of Ordnance, Signal Office. See ARMY OF THE UNITED STATES; COMPARATIVE RANK IN ARMY AND NAVY; MILITARY ACADEMY; SECRETARY OF WAR.

War Power of the President. The power and authority of the President to act on his own initiative in war crises varies according to the urgency of the case. He is commander-in-chief of the army and navy and this fact implies great responsibility. Congress, only, can declare war; but the President must prosecute it, and in the line of his duty he may find the emergency so great that his acts may be despotic, yet above

honest criticism. Sometimes Congress legislates vast responsibilities upon a war President, as when, in 1898, President McKinley was given an appropriation of $50,000,000 to spend without direction in preparing for the struggle with Spain.

Washington. The present State was visited as early as 1592 by explorers in the service of Mexico. In 1775 the mouth of the Columbia was discovered by the Spaniards. Fifteen years later explorers from New England sailed up the river and named it. The first definite knowledge of this region was gained by Lewis and Clark, in their expedition in 1805 and 1806. Development of the territory was slow, owing to its inaccessible location. It is not definitely known from what source the United States secured title to the land in Washington. Credit has been given to the Louisiana Purchase, to the Mexican cessions, and to the claims growing out of explorations. The northern boundary was determined by the Webster-Ashburton treaty, in 1846. From 1848 to 1850 Washington was a part of Oregon Territory. In the latter year it was given separate Territorial government; it then included a portion of Idaho and part of Montana. When Idaho was organized in 1863, Washington was reduced to its present limits. In November, 1889, it entered the Union as the forty-second State.

STATE SEAL OF WASHINGTON.

Government. The Constitution under which admission was secured has been amended four times. Amendment is possible by vote of two-thirds of each House of the Legislature and subsequent approval by majority vote at a State election. The Legislature consists of a House of Representatives of not more than 99 members and not fewer than 63 members, and a Senate of not more than one-half nor less than one-third of the number in the House of Representatives. Senators are chosen for four years, and Representatives for two years. The Executive officers of the State are the Governor, Lieutenant-Governor, Secretary of State, Treasurer, Auditor, Attorney-General,

Superintendent of Public Instruction and Commissioner of Public lands, all elected for four years. The Judicial power is vested in a Supreme Court, Superior Courts and Justices of the Peace. In the Supreme Court there are seven Justices chosen by popular election, whose term is six years. Sessions of Superior Courts are held in each county, and are presided over by Judges elected by voters of the county for four years.

Waterloo. Since the crushing defeat of Napoleon Bonaparte on the field of Waterloo in 1815, which put an end to his political ambition and sent him into retirement a prisoner, the name of the battle has been a synonym for political defeat at the polls so decisive and complete as to destroy any further ambition the loser may have cherished. Voters do not usually rally around the standards of a discredited man; political "machines" give their support only to possible winners. When a person meets his "Waterloo" at the polls, his political career ends; the power and prestige he enjoyed pass into the hands of stronger men.

Ways and Means, COMMITTEE OF. This is the largest and most important committee of the United States House of Representatives; it consists of seventeen members appointed by the Speaker, and derives its name from the fact that upon it is imposed the task of proposing ways and means of raising and collecting revenue for the maintenance of the Government. It has complete charge, so far as the House is concerned, of all Government revenues, including internal revenues; and, as the Constitution declares that "all bills for raising revenue shall originate in the House of Representatives," it is obvious that the members of this committee hold, in large measure, the commercial interests of the nation in their keeping. For many years the same committee disbursed the revenues of the Government, but since 1865 the double task has been too burdensome for one body of men, and the Appropriations Committee was formed in the House to deal with expenditures. The corresponding Senate committees are the Finance and Appropriations Committees, but the Senate Finance Committee cannot consider a revenue bill until after the House has passed upon it.

After the Committee of Ways and Means reports a revenue bill, or tariff bill, and it passes the House, the Senate is privileged to amend it in any desired particulars, and it usually exercises this prerogative to the fullest extent, making it necessary for the House again to consider the measure.

Weather Bureau. At a cost of over one million dollars annually, the Government maintains, under the direction of the Department of Agriculture, an organization called the Weather Bureau, for the purpose of making forecasts of atmospheric conditions and publishing them quickly in all accessible parts of the country. Up to 1891 the work was done under the direction of the Signal Service [q. v.] of the army. Weather forecasts, or prophecies, are usually made from twenty-four to forty-eight hours in advance, but important changes have been foretold correctly even three or four days ahead.

To carry on this work there is one central office in Washington and about two hundred observation stations located throughout the United States, the West Indies, Alaska and Hawaii. A permanent force of over 600 men is required. At the same moment in all the stations, observations are made as to the barometric pressure, current temperature (high and low for twenty-four hours is also recorded), direction and velocity of the wind, amount of rain or snow since last observation, the humidity of the atmosphere and the character of visible clouds. These facts are telegraphed to the central office in special code. Each station receives a general report from the central station, which summarizes the conditions for the whole country, and this is speedily posted in public places and mailed to all post-offices within the district. Generally within four hours the reports are thoroughly distributed. To spread the information still more widely, special flags which announce the prospective changes are raised in many villages.

The cost of maintenance of the Weather Bureau is slight, compared to the service it renders. Its timely warnings of approaching storms have kept thousands of vessels safely in port; cold wave and frost warnings are the means of saving valuable crops; flood predictions are given with re-

markable accuracy, including duration and rate of advance, thus making it possible to remove valuable property in advance of the sweep of water.

West Point. See MILITARY ACADEMY.

West Virginia. What is now West Virginia was a part of the State of Virginia until 1862, when division occurred on the question of slavery and attitude toward the newly-organized Southern Confederacy. When Virginia seceded from the Union, the western portion, largely in sympathy with the North, ratified the Ordinance providing for formation of a new State to be called West Virginia. Admission to the Union was secured in 1863, as the thirty-fifth State.

STATE SEAL OF WEST VIRGINIA.

Government. The present Constitution was adopted in 1872, succeeding the one under which admission was secured. It has been three times amended. Amendment is possible by vote of two-thirds of the members of both Houses of the Legislature and subsequent ratification by the people. The Legislature consists of a Senate of 30 members, elected for four years, and a House of Delegates of 86 members, elected biennially. Sessions are held every two years, are not limited in duration, and members receive $4.00 per day for actual attendance, and mileage. The officers of the State are the Governor, Secretary of State, Superintendent of Free Schools, Auditor, Treasurer, and Attorney-General, each elected for four years. The highest Judicial power in the State is the Supreme Court of Appeals, having five members, each elected for twelve years; in Circuit Courts, each having Judges elected for term of eight years; in County courts, each having a President and two Commissioners, whose term is six years; there are also Justices of the Peace.

Whig, a member of a political party in England bearing the same name, whose chief principle was opposition to the extension of the royal prerogative. The Whigs were numerically strongest just preceding the Revolutionary War, and their

sentiments found high favor in the American colonies among the people who resented Great Britain's oppression. To distinguish these Americans from the English party, the former were called American Whigs. The term was first used in New York in 1768. After fighting successfully the Revolutionary War, there was in America for a brief period but one political party, unanimous in spirit, the Whigs. They unanimously elected Washington as the first President. See TORY.

The name was also applied to a political party of importance in the United States from about 1840 to 1856. Its origin was in the organized opposition to President Jackson. Its first form was the National Republican party, composed of those who opposed Jackson's economic policies, to whom were joined those people who upheld Nullification. The name Whig was suggested for the party, as it stood for opposition to Executive usurpation. Harrison and Tyler were the first Presidential nominees of the party, and were successful at the polls; there was a small majority in Congress, also. In four years Clay was the Whig Presidential nominee, but he was defeated. The slavery question soon was the chief political issue. The Northern Whigs endeavored to keep it out of politics, for it meant the disruption of the party, by the withdrawal of the Southern members; therefore, in 1848, when Taylor was the Presidential nominee, no platform was adopted. Within two years the Southern Whigs deserted to the Democrats, and the remaining adherents in the North could not long hold the organization together. Many of its members joined the American party [q. v.] but the greater number assisted in the organization of the new Republican [q. v.] party. See POLITICAL PARTIES IN THE UNITED STATES.

White House. The Executive Mansion [q. v.] in Washington for many years has been called the White House, because of its color, its freestone wall having been kept white throughout its whole history. During the administration of President Theodore Roosevelt that official substituted the name White House in place of Executive Mansion, making the former term the official name of his residence.

Whitewash. A farcical investigation of official wrong doing, ending in a report of exoneration, is called a whitewash. If a public officer would escape the consequences of unlawful acts or inattention to duty, he usually endeavors to have a Legislative committee appointed to enquire into the charges, provided his friends are powerful enough to name the committee and dictate its findings. While the report of friendly investigators may officially clear his name, yet the public is usually discriminating enough to determine the actual value of such a report.

Wildcat Banks. What were known from 1840 to 1860 as wildcat banks were the old State Banks, organized under loose State laws and managed by private individuals. There was little official scrutiny into their business methods. Each bank was permitted to issue currency to the amount of its capital, and very frequently it was discovered that "capital" was largely mythical—sometimes consisting of promissory notes. Security always was required by law to protect the circulation of the currency,but this was in bonds of cities, towns, and even private corporations; sometimes mortgages on real estate were offered. The wholesale issue of money on such security soon drove good money out of circulation. The notes began to fluctuate in value; regularly it was necessary to print lists of values of all State Bank notes, and these quotations could not be vouched for from day to day. The term "wildcat" well described the unreliable and reckless financiering of the day. The Civil War was the cause of the failure of many of these institutions, and the National Bank act drove the remainder out of existence. See National Bank; Gresham's Law.

Will. Any person of sound mind and legal age may arrange for the final disposition of his property after death by making a will, although in some States married women are not permitted to make wills without the consent of their husbands, and in other States the will of an unmarried woman is revoked by her subsequent marriage unless she takes such legal steps before the marriage as will enable her to retain the right to dispose of her property after that event.

The form or wording of a will is immaterial so long as the intent of the testator is clearly expressed. To assure its probate, however, a will should be in writing, and should be signed by the testator or by some other person in his presence and by his direction, and should be witnessed by the number of persons required by law, all of whom must sign their names in the presence of the testator, and at his request, and the testator must at the time tell them that it is his last will.

As a will is not in force until after the death of a testator he may cancel or change it any time, or he may change or modify his former bequests in a codicil which should be executed with as great care as the will itself. Naturally the last will annuls all former documents unless it be an addition to them, but it is advisable for the testator to clearly state his purpose to revoke all former wills by him made, if such is his intention.

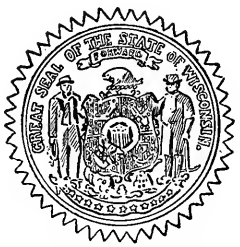
In nearly all the States the law requires that wills shall be witnessed by two persons. The variations from this rule, however, are as follows: Connecticut requires 3; District of Columbia, 3 or 4, and Maine, Massachusetts, New Hampshire, South Carolina and Vermont, 3 each. In California a will entirely written, dated and signed by the hand of the testator is subject to no other form and need not be witnessed.

Wire Pulling is a term applied to the activity of a politician or a group of politicians who endeavor by special means to accomplish a political end, such as the passage of a law favored by them, or the election of a favored person to office.

Wisconsin. The first explorations in this State were for the most part by the French, and earliest settlements were also made by that nation. It is natural, therefore, that the sentiment and allegiance of the people should be given to France. In the Revolution the settlements joined England's forces, and in the War of 1812 still were English in sentiment and opposed Union. After our Government took formal possession of this territory, about 1816, development was very slow. It was a part of the Northwest Territory under the Ordinance of 1787, and in 1800, when Ohio was separated, Wisconsin was included in Indiana Territory. Five years later it was made part of

Michigan Territory; in 1809 it belonged to Illinois and from 1818 to 1836 it was again a part of Michigan. In the latter year it was given a separate Territorial organization and in 1848 was admitted to the Union as the thirtieth State.

Government. The Constitution of 1848 is still in force, but has been amended several times, between 1869 and 1904. Amendment is possible only by passage in two successive Legislatures by majority vote, and later ratification by majority vote of the electors of the State. The Legislature is composed of a Senate of 33 members, elected for terms of four years, about one-half retiring every two years, and an Assembly of 100 members, elected for two years. Sessions are held biennially, are not limited in length, and members receive $500 for each regular session, and mileage. For special sessions only traveling expenses are allowed. The State officers are the Governor, Lieutenant-Governor, Treasurer, Attorney-General, State Superintendent of Schools and Insurance Commissioner. These are elected for terms of two years and a Dairy and Food Commissioner, appointed by the Governor and Senate, for a term of two years; a Railroad Commission of three members, each for a term of four years; a Tax Commission of three members, for terms of eight years, and a Civil Service Commission for a term of six years. At the head of the Department of Justice is the Supreme Court, consisting of seven members, elected for ten years; below this are the Judicial Circuits, each have a Circuit Court with Judges elected for six years. In every county there is also a County court, with a Judge whose term is four years. Justices of the Peace are chosen in cities and villages, for two-year terms.



STATE SEAL OF WISCONSIN.

Woman's Suffrage. The right to vote was formerly vested only in male members of society, subject to restrictions as to age, education and residence, but for a number of years women have been given the privileges of the ballot in a number of

States, on equal terms with men. Their claims to recognition have been pressed with vigor since the Civil War. It is asserted in their behalf that one of the principles of the American Revolutionists was "Taxation without representation is tyranny;" also, they may own property, but without the right to vote have no means of protecting their interests; men chosen by men to Legislative office too frequently represent only the classes which participate in their election. Further, it is claimed that women today read widely and are as well informed on public matters as the majority of men; that their votes would not be purchasable to the extent that men's votes are bought; that whatever legislation affects men also affects women; that women would be quicker than men to vote against corrupting measures and thus would exercise wide influence in the direction of better government.

The Federal Constitution does not decree the sex of voters; it does not declare the word *citizen* to mean males; it does not define the word *elector*. It even asserts that any person who may legally vote in any State for State Representative is qualified to vote for Representatives in Congress. To the various States, then, is left the decision as to who shall be allowed to vote, and naturally the laws show great differences on this point. The arguments in favor of female suffrage have won for women full political rights in Colorado, Idaho, Utah and Wyoming; in these States they may vote at all elections and are eligible on the same basis as men to hold State offices. In a more or less limited form, relating to taxation and school matters, woman suffrage exists in Arizona, California, Delaware, Idaho, Illinois, Indiana, Kansas, Kentucky, Massachusetts, Michigan, Minnesota, Montana, Nebraska, New Hampshire, New Jersey, North Dakota, Oklahoma, Oregon, South Dakota, Texas, Vermont, Washington and Wisconsin. See QUALIFICATIONS OF VOTERS.

Writ, a judicial mandate, in legal form, by which a court proceeding is begun, or by which a court decision is enforced. A writ is issued either in the name of the court or of the State, and is signed either by the presiding Judge or by his clerk, and

it is attested by the seal of the court. Probably the most important of all writs is that of *habeas corpus* [q. v.].

Writ of Attachment, a document in writing, issued by a court, addressed to a Sheriff or other constabulary officer, empowering him legally to seize a person or property for reasons named within said writ. When this writ is issued against a person, it differs from arrest in that he who arrests a man carries him before an officer of higher power, who disposes of his case or advances it to a later hearing; while he who attaches is expected to present the party attached in court on the day named in the writ. Attachment, then, is merely a process by which a defendant is brought before a court. It must not be confused with subpoena [q. v.]; a person served with the latter instrument is called into court simply as a witness to give testimony for the enlightenment of Judge and jury. If he refuses to obey the summons to appear, then the court may issue a writ of attachment to compel his presence.

Writ of Election. A writ of election is an official message in writing, issued by the Governor of a State and addressed to the people of an election district who are deprived of political representation in a Legislative body or of a member of the judiciary, because of a vacancy caused by death, resignation, removal or disability. This message cites the fact of the vacancy and names a day on which a new election shall be held. The Constitution of the United States in Article I, Section 2, Clause 4, provides for filling vacancies in the House of Representatives, as follows:

> When vacancies happen in the representation from any State the Executive authority thereof shall issue writs of election to fill such vacancies.

The rule thus laid down in the case of Representatives is very generally followed in filling vacancies in all elective offices. For exceptions, see VACANCIES.

Wyoming. The earliest visitors to this region were French traders, as early as 1743. The first American visitor on record made explorations in 1806. The most notable early explorer was James Fremont, in 1842, eight years after the first white

settlement was made. Settlement was very slow previous to 1867, but after the discovery of gold about that time immigration largely increased. Wyoming was organized as a Territory in 1868, from portions of Utah, Dakota and Idaho, and admission to the Union as the forty-fourth State was secured in 1890.

Government. The original Constitution, under which admission was secured, is still in force. It may be amended by two-thirds' vote of all members of each House of the Legislature, with subsequent approval by majority vote of the people. In the Legislature there is a Senate of 23 members, elected for four years, and a House of Representatives of 50 members, whose term is two years. Sessions are biennial, are limited to forty days, and members are paid $5.00 per day and mileage. The officers of the State are the Governor, Secretary of State, Treasurer, Auditor and Superintendent of Public Instruction, all elected for four years; all are eligible to re-election except the Treasurer. In the Supreme Court there are three Justices, whose term is eight years. Below this are District courts and Justices of the Peace.

STATE SEAL OF WYOMING.

Y

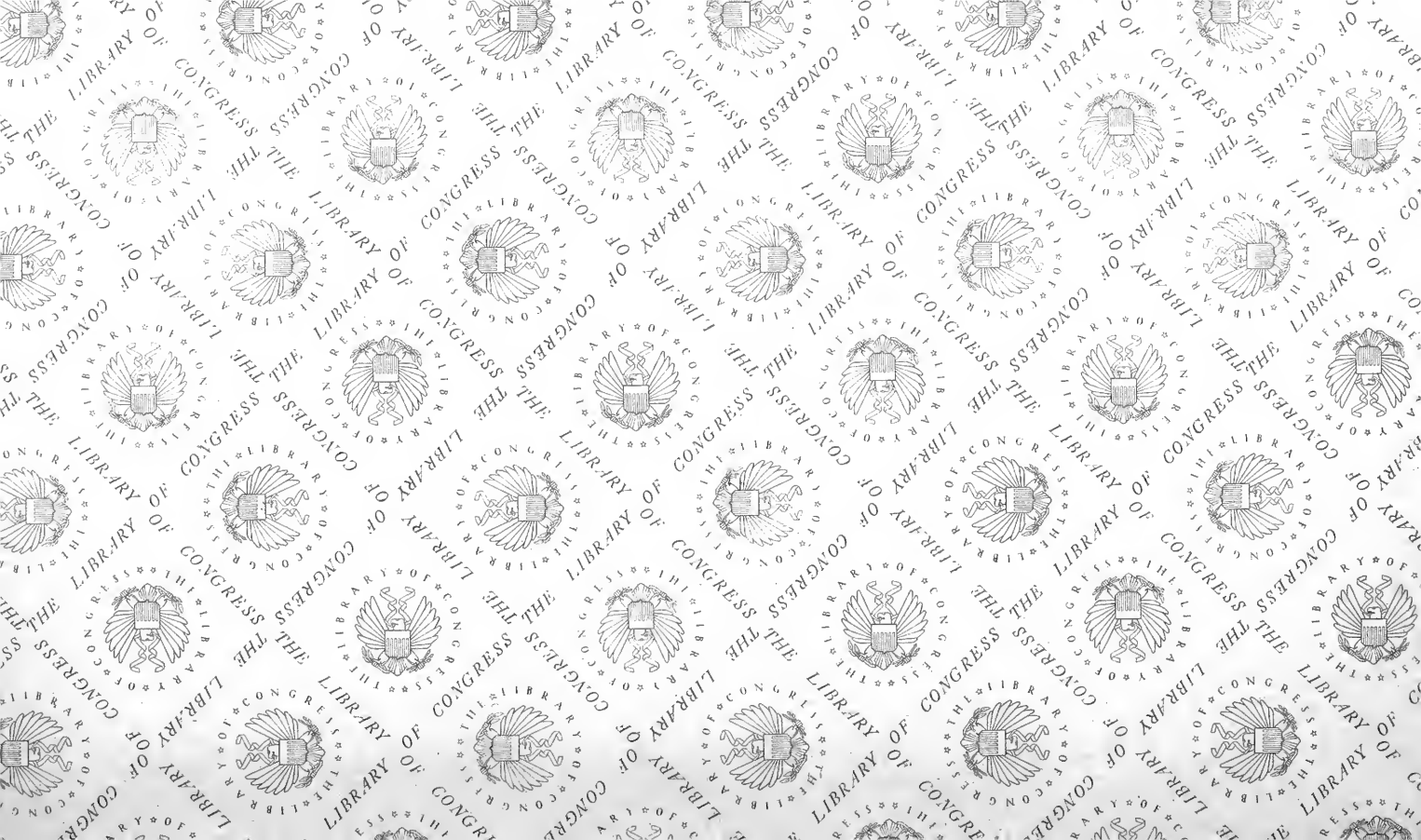
Yankee Doodle, an American national air, first introduced by British troops in Boston in 1775 in derision of Americans, who by the English "dandies" were styled "Yankees." Holt's Journal, published in Boston, gives an account of the treatment of the colonists in connection with this name, under date of March 30, 1775:

"After the repeal of the Tar and Feather Act, the British soldiers in Boston were directed to take every method of entrapping the unwary. Yesterday, an honest countryman was inquiring for a firelock, when a soldier approached him and said that he had one to sell. Away goes the ignoramus, and after honestly paying the soldier for the gun (an old one without a lock), was walking off, when half a dozen soldiers seized and hurried the poor fellow away under guard, for breech of the act against trading with the soldiers. After keeping him in duress all night, instead of taking him before a magistrate, who would have fined him, the officers condemned him to be tarred and feathered. This sentence was executed. The soldiers mounted him on a horse truck and surrounding the truck with a guard of twenty soldiers with fixed bayonets, accompanied with all the drums and fifes of the regiment (Forty-seventh) and a number of officers, negroes and sailors, exhibited him as a spectacle through the principal streets of the town. They fixed a label on the man's back on which was written 'American liberty, or a specimen of Demorcacy,' and to add to the insult they played 'Yankee Doodle.' "

Yea and Nay Vote. A common method employed in taking a vote in a deliberative assembly, such as a Legislature or the National Congress, on unimportant questions, is sometimes by word of mouth, called a *viva voce* vote. Those of the members who are in favor of the proposition are told to express their views by saying *yea* (or *aye*); those who are opposed to the proposition are asked to say *nay* (or *no*). The presiding officer usually determines the vote by the volume of sound. In

case any member is not satisfied with the decision of the chairman, he has the parliamentary right to appeal from the decision. This appeal must be put to the members, and usually in the same manner, but on the request of one-fifth of the members present a roll-call may be demanded. The yea and nay vote registers the vote of every member participating; it is always employed on every vote where the expenditure of money is involved, and on the final passage of every bill.

Yeoman, a petty officer in the United States navy, in charge of stores pertaining to a specified department on board ship, as paymaster's yeoman, or engineer's yeoman. See PETTY OFFICER.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